SHERIFF'S PREFACE

Message from the Sheriff

As Ventura County's largest and most diverse public safety agency, we have a duty; beyond enforcing the laws, and caring for those in our custody; to be prepared to respond to virtually any type of critical incident that could arise. I believe we also bear the responsibility of continuously adapting to an ever-changing environment, employing creative and innovative strategies to suppress crime, and working tirelessly to build and maintain the trust of the community we serve.

- Jim Fryhoff, Sheriff

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LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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MISSION STATEMENT & STRATEGY

Mission Statement:

We, the members of the Ventura County Sheriff's Office, are committed to safeguard the lives and property of residents of Ventura County and respond to public concerns in a manner which is fair, unbiased, lawful and promotes neighborhoods free from crime.

Strategy:

Our strategy for accomplishing this mission is to preserve the peace, prevent crime, apprehend offenders, facilitate problem solving community partnerships, enforce laws, provide secure and humane detention for persons lawfully entrusted to our care and display empathy and respect for the dignity of all individuals.

Vision Statement:

The Ventura County Sheriff's Office is committed to increasing and strengthening community partnerships and utilizing technologies and evidence based practices to enhance collaborative efforts at reducing crime and improving public safety. Our agency will also endeavor to recruit, retain, and promote a diverse group of honest, ethical, and highly qualified applicants that reflect and represent the communities we serve.

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Chapter 1 - Law Enforcement Role and Authority

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Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Ventura County Sheriff's Office to perform their functions based on established legal authority. This department does not tolerate abuse of law enforcement authority.

100.2 PEACE OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law (Penal Code § 830.1 et seq.).

100.2.1 JURISDICTION

While this department recognizes the statutory power of peace officers to make arrests throughout the state, deputies are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot or fresh pursuit, while following up on crimes committed within the County or while assisting another agency. On-duty deputies who discover criminal activity outside the jurisdiction of the County should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

100.2.2 ARREST AUTHORITY INSIDE THE JURISDICTION OF THE VENTURA COUNTY SHERIFF'S OFFICE

The arrest authority within the jurisdiction of the Ventura County Sheriff's Office includes (Penal Code § 830.1; Penal Code § 836):

(a) When the deputy has probable cause to believe the person has committed a felony, whether or not committed in the presence of the deputy.

(b) When the deputy has probable cause to believe the person has committed a misdemeanor in this jurisdiction and in the presence of the deputy.

(c) When the deputy has probable cause to believe the person has committed a public offense outside this jurisdiction, in the presence of the deputy and the deputy reasonably believes there is an immediate danger to person or property, or of escape.

(d) When the deputy has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized or required by statute even though the offense has not been committed in the in the presence of the deputy such as certain domestic violence offenses.

(e) In compliance with an arrest warrant.

100.2.3 TIME OF MISDEMEANOR ARRESTS

Deputies shall not arrest a person for a misdemeanor between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next day unless (Penal Code § 840):

(a) The arrest is made without a warrant pursuant to Penal Code § 836 which includes:

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1. A misdemeanor committed in the presence of the deputy.
2. Misdemeanor domestic violence offenses (See the Domestic Violence Policy).

(b) The arrest is made in a public place.

(c) The arrest is made with the person in custody pursuant to another lawful arrest.

(d) The arrest is made pursuant to a warrant which, for good cause shown, directs that it may be served at any time of the day or night.

100.3 CONSTITUTIONAL REQUIREMENTS

All employees shall observe and comply with every person’s clearly established rights under the United States and California Constitutions.

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Chief Executive Officer

101.1 PURPOSE AND SCOPE

The California Commission of Peace Officer Standards and Training (POST) has mandated that all sworn officers and dispatchers employed with the State of California shall receive certification by POST within prescribed time periods.

101.2 CHIEF EXECUTIVE OFFICER REQUIREMENTS

Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment.

101.3 SHERIFF CANDIDATE REQUIREMENTS

Prior to filing for office of Sheriff, any candidate shall at minimum meet the requirements of Government Code §24004.3.

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Policy Manual

102.1 PURPOSE AND SCOPE

The manual of the Ventura County Sheriff's Office is hereby established and shall be referred to as "The Sheriff's Policy Manual." The Policy Manual is a statement of the current policies, procedures, rules, and guidelines of this department. All employees are to conform to the provisions of this manual. All prior and existing manuals, orders, and regulations which are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders, and other regulations which have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized, however, that police work is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

102.1.1 DISCLAIMER

The provisions contained in this Policy Manual are not intended to create an employment contract, nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Ventura County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials or employees. Violations of any provision of any policy contained within this manual shall only form the basis for departmental administrative action, training or discipline. The Ventura County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

102.2 RESPONSIBILITIES

The ultimate responsibility for the contents of the manual rests with the Sheriff. Since it is not practical for the Sheriff to prepare and maintain the manual, the following delegations have been made:

102.2.1 SHERIFF

The Sheriff shall be considered the ultimate authority for the provisions of this manual and shall continue to issue policies which shall modify those provisions of the manual to which they pertain. Interim department or divisional policies shall remain in effect until such time as they may be permanently incorporated into the manual.

102.2.2 EXECUTIVE STAFF

Executive Staff shall consist of the following:

- Sheriff
- Undersheriff
- Four Assistant Sheriffs

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The Executive Staff shall review all recommendations regarding proposed changes to the manual at staff meetings.

102.2.3 OTHER PERSONNEL
All department employees suggesting revision of the contents of the Policy Manual shall forward their suggestion, in writing, to the Policy Review Committee who will consider the recommendation and forward to the executive staff.

102.3 FORMATTING CONVENTIONS FOR THE POLICY MANUAL

The purpose of this section is to provide examples of abbreviations and definitions used in this manual.

102.3.1 ACCEPTABLE ABBREVIATIONS
The following abbreviations are acceptable substitutions in the manual:

- Policy Manual sections may be abbreviated as "Section 106.X or "§ 106.X"

102.3.2 DEFINITIONS
The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CHP - The California Highway Patrol.

CFR - Code of Federal Regulations.

County - The County of Ventura.

Department /VSO - The Ventura County Sheriff's Office.

DMV - The Department of Motor Vehicles.

Employee/Personnel - Any person employed by the Department.

Juvenile - Any person under the age of 18 years.

Manual - The Ventura County Sheriff's Office Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person who is employed or appointed by the Ventura County Sheriff's Office including sworn deputies, reserve deputies, civilian employees and volunteers.

Civilian - Employees and volunteers who are not sworn peace officers.

Deputy/Sworn - Those employees, regardless of rank, who are sworn employees of the Ventura County Sheriff's Office.

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On-Duty - Employee status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The California Commission on Peace Officer Standards and Training.

Rank - The job classification title held by a deputy.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

USC - United States Code

102.3.3 DISTRIBUTION OF MANUAL
Copies of the Policy Manual shall be distributed to the following:

- Patrol watch commander's office
- In-Service Training Center sergeant's office.

A computerized version of the Policy Manual will be made available on the department intranet for access by all employees. The computerized version will be limited to viewing and printing of specific sections. No changes shall be made to the electronic version without authorization from executive staff.

102.4 MANUAL ACCEPTANCE

As a condition of employment, all employees are required to read and obtain necessary clarification of this department’s policies. All employees are required to sign a statement of receipt acknowledging that they have received a copy, or have been provided access to the Policy Manual and understand they are responsible to read and become familiar with its contents.

102.4.1 REVISIONS TO POLICIES
All employees are responsible for keeping abreast of all Policy Manual revisions. All substantive changes to the Policy Manual will be made through an "All Sheriffs Users" email notification by the Professional Standards captain or his/her designee. Each employee shall review the revisions and seek clarification as needed.

Each unit commander/manager will ensure that employees under his/her command are aware of any Policy Manual revisions.

102.5 PERIODIC REVIEW OF THE POLICY MANUAL

The Sheriff will ensure that the Policy Manual is periodically reviewed and updated as necessary.

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Oath of Office

103.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

103.2 POLICY

It is the policy of the Ventura County Sheriff's Office that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

103.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. All sworn members shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Cal. Const. Art. 20, § 3; Government Code § 3102). The oath shall be as follows:

“I, (employee name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.”

103.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Government Code § 3105).

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Chapter 2 - Organization and Administration

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Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DIVISIONS

The Sheriff is responsible for administering and managing the Ventura County Sheriff's Office. There are four divisions in the Sheriff's Office as follows:

- Support Services Division
- Detention Services Division
- Special Services Division
- Patrol Services Division

200.2.1 SUPPORT SERVICES DIVISION

The Support Services Division is commanded by an Assistant Sheriff whose primary responsibility is to provide general management direction and control for the Support Services Division. The Support Services Division consists of Human Resources, Professional Standards, Training Center, Office of Emergency Services, and the Business Office.

200.2.2 DETENTION SERVICES DIVISION

The Detention Services Division is commanded by an Assistant Sheriff whose primary responsibility is to provide general management direction and control for the Detention Services Division. The Detention Services Division consists of the Pre-Trial Detention Facility, Todd Road Jail and Court Services.

200.2.3 SPECIAL SERVICES DIVISION

The Special Services Division is commanded by an Assistant Sheriff whose primary responsibility is to provide general management direction and control for the Special ServicesDivision. The Special Services Division consists of Major Crimes, Special Investigative Unit (SIU), Sheriff System Bureau, Forensic Services, Crime Analysis and Air Unit.

200.2.4 PATROL SERVICES DIVISION

The Patrol Services Division is commanded by an Assistant Sheriff whose primary responsibility is to provide general management direction and control for the Patrol Services Division. The Patrol Services Division consists of Patrol Operations, Communications

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Sheriff exercises command over all personnel in the department. During planned absences the Sheriff will designate the Undersheriff to serve as the acting Sheriff.

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Except when designated as above, the order of command authority in the absence or unavailability of the Sheriff or Undersheriff is as follows:

Sheriff

(a) Undersheriff

(b) Support Services Assistant Sheriff

(c) Patrol Services Assistant Sheriff

(d) Special Services Assistant Sheriff

(e) Detention Services Assistant Sheriff

(f) Ranking Commander

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

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Policies and Procedures

201.1 PURPOSE AND SCOPE

Policies and Procedures establish an interdepartmental communication that may be used by the Sheriff to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. Policies and Procedures will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 POLICIES AND PROCEDURES PROTOCOL

Policies and Procedures will be incorporated into the manual as required upon approval of the executive staff. Policies and Procedures will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing General Orders have now been incorporated in the updated Sheriff's Policy Manual as of January 17, 2012.

201.2 RESPONSIBILITIES

201.2.1 EXECUTIVE STAFF

The executive staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a General Order.

201.2.2 SHERIFF

The Sheriff or his designee shall issue all Policies and Procedures.

201.3 ACCEPTANCE OF SHERIFF'S POLICIES

All employees are required to read, familiarize themselves with, and obtain any necessary clarification of all policies. Notification will be made to Sheriff's Office members when changes are made to the policy manual. In conjunction with each member's annual performance appraisal, the following policies will be required to be read by the member and acknowledged with their initials that the policy has been reviewed:

- Chapter 3:
  - Control Devices & Techniques
  - Search & Seizure
  - Use of Force
  - Critical Incidents & Shootings, Member Involved
  - Critical Incidents, Post Procedure
  - Code 3 Response
  - [redacted] Emergency Assistance
  - Vehicle Pursuits

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- Hate Crimes
- Robbery Alarm Call Response
- Discriminatory Harassment*
- Conduct & Ethics*

- Chapter 4:
  - Bomb Calls & Found Explosives
  - Racial/Bias Based Profiling
  - Arrest or Detention of Foreign Nationals
- Chapter 10
  - Employee Speech, Expression, and Social Networking/Technology Use Policy*

*Applicable to Professional Staff

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ROLE OF THE VENTURA COUNTY SHERIFF'S OFFICE OF EMERGENCY SERVICES

202.1 PURPOSE AND SCOPE

The County has prepared an Emergency Operations Plan (EOP) for use by all county employees in the event of a major disaster or other emergency event. The plan outlines the Ventura County Operational Area's strategic and coordinated response by all employees and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610; County Ordinance 4410, Article 2, Section 5325).

Ventura County is vulnerable to a wide range of human-caused, technological and natural disasters including earthquakes, floods, fires, hazardous material incidents, dam failures, civil unrest, transportation accidents, tsunamis, terrorism, and public health and agricultural emergencies.

The Ventura County Sheriff's Office of Emergency Services (OES) is responsible for the day-to-day administration of the County's preparedness, mitigation, response and recovery programs. OES is responsible for the development and maintenance of the Ventura County Operational Area Emergency Operations Plan (EOP), maintaining the County's Emergency Operations Center (EOC), and coordinating EOC activities during a disaster. OES staff also oversees the County's Disaster Service Worker Program (DSW), which includes the Auxiliary Communications Services (ACS), Disaster Assistance Response Teams (DART), and the Sheriff's Search and Rescue (SAR) Team.

Within California's emergency management organizational structure, each county serves as an operational area. The Ventura County Operational Area includes the County and all political subdivisions within the County area. In this role, Ventura County Sheriff's OES acts as an agent between State OES and the cities, special districts and unincorporated areas of Ventura County. During a disaster, this includes gathering information on the County's emergency response needs, assessing county and state resources, and facilitating the acquisition, coordination and use of those resources. For more information link to County's preparedness and disaster information website at

http://readyventuracounty.org/

202.2 ROLE OF THE VENTURA COUNTY SHERIFF

The Sheriff is the Director of the Office Emergency Services (OES) and the Operational Area Coordinator. The County's disaster ordinance (4410, Article 2, Section 5323-1) grants the Sheriff with a number of powers and duties:

Section 5323-1.1 To request the Board of Supervisors proclaim the existence of a "local emergency" if the Board is in session, or to issue such proclamation if the Board is not in session, subject to ratification by the Board within (7) seven days thereafter, or the proclamation shall have no further force or effect.

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ROLE OF THE VENTURA COUNTY SHERIFF'S OFFICE OF EMERGENCY SERVICES

Section 5323-1.2 To recommend that the Chairman of the Board or the County Executive request the Governor to proclaim a "state of emergency" as defined in California Government Code Section 8558(b) when, in the opinion of the Director, the locally available resources are inadequate to cope with the emergency.

Section 5323-1.3 To control and direct the effort of the County's emergency organization and ensure that the County fulfills its duties as an operational area.

Section 5323-1.4 To direct cooperation between and coordination of services and staff of the emergency organization of this County; and resolve questions of authority and responsibility that may arise between them.

Section 5323-1.5 To represent the County in all dealings with public or private agencies on matters pertaining to emergencies.

Section 5323-2 Emergency Powers. In the event of the proclamation of a "local emergency" by the Board or the Director, the declaration of a "state of emergency" by the Governor or the Secretary of the California Emergency Management Agency, or the existence of a "state of war emergency" as defined in Government Code Section 8558 (a), the Director is hereby granted the powers set forth:

Section 5323-2.1 To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the Board.

Section5323-2.2 To obtain vital supplies, equipment, and such other property found lacking and needed for the protection of life and property and to bind the County for the fair value thereof and, if required immediately, to commandeer the same for public use.

Section 5323-2.3 To require emergency services of any County officer or employee and, in the event of the proclamation of a "state of emergency" in the County or "state of war emergency", to command the aid of as many citizens within Ventura County as he or she deems necessary in the execution of his or her duties; such persons shall be entitled to all privileges, benefits, and immunities as are provide by state law for registered disaster service workers.

Section 5323-2.4 To requisition necessary personnel or material of any County department or agency.

Section 5323-2.5 To execute all of his or her ordinary power as Sheriff; all of the special powers conferred upon him or her or by resolution or emergency plan adopted by the Board; all powers conferred upon him or her by any statute or agreement approved by the Board, and any lawful authority.

Section 5323-3 Succession. The Director shall designate the order of succession to his or her office subject to approval by the Board, to take effect in the event the Director is unavailable to attend meetings and otherwise perform his or her duties during an emergency.

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202.2.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan (EOP) is activated, all employees of the Ventura County Sheriff's Office are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Sheriff or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.3 ROLE OF THE VENTURA COUNTY EMERGENCY OPERATIONS CENTER (EOC)

An Emergency Operations Center (EOC) is a pre-designated facility established by an agency or jurisdiction to coordinate the overall agency or jurisdictional response and support to an emergency. The County's EOC is activated when the field level responders need additional support. Emergencies requiring EOC activation include the following:

A significant earthquake causing damage in the county or neighboring jurisdictions.

An uncontrolled release or failure of a dam.

An impending or declared "state of war emergency".

An emergency situation that has occurred or might occur that will require a large commitment of resources from two or more county departments over an extended period of time, such as a civil disturbance or aircraft disaster.

In addition, as the Operational Area Coordinator, the Sheriff may be required to activate the EOC under the following conditions:

A local government has activated its EOC and requests activation of the operational area EOC to support their emergency operations. Two or more cities within the operational area have proclaimed a local emergency.

The County and/or city (ies) within the county have requested a governor's proclamation of a "state of emergency".

The operational area is requesting, or has received, resources from outside its boundaries. This does not include resources used in day-to-day operations, which are obtained through existing mutual aid agreements.

For planning purposes, the Ventura County Emergency Operations Plan (EOP) recognizes three levels of response to peacetime emergencies, which are based on the severity of the situation and the availability of resources.

LEVEL ONE - Decentralized Coordination and Direction

A minor to moderate incident where local resources are adequate and available. A Local Emergency may or may not be proclaimed. The County EOC may or may not be activated. Off-duty personnel may be recalled.

LEVEL TWO - Centralized Coordination and Decentralized Direction

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A moderate to severe emergency where local resources are not adequate and mutual aid may be required on a regional or even statewide basis. Key management level personnel from the principal involved agencies will co-locate in a central location to provide jurisdictional or multi-jurisdictional coordination. The EOC should be activated. Off-duty personnel may be recalled. A Local Emergency will be proclaimed and a State of Emergency may be proclaimed.

LEVEL THREE - Centralized Coordination and Direction

A major local or regional disaster where resources in or near the impacted area are overwhelmed and extensive state and/or federal resources are required. A Local Emergency and a State of Emergency will be proclaimed and a Presidential Declaration of an Emergency or Disaster will be requested. All response and early recovery activities will be directed from the EOC. Off-duty personnel will be recalled.

202.3.1 ROLE OF THE VENTURA COUNTY EMPLOYEE(S)

All Ventura County employees are disaster service workers (DSWs). As a disaster service worker, the role of County employees includes the following:

Report to work and be prepared to assist in the emergency response as assigned by their supervisor, including activities that are outside their normal scope of work.

Employees who cannot get to work after a disaster, due to road closures or similar complication, may report to the closest government office to volunteer their assistance.

202.3.2 ROLE OF THE EMERGENCY PLANNING COUNCIL (EPC)

The Ventura County Emergency Planning Council (EPC) performs the functions of a local disaster council pursuant to Title 2, Division 1, Chapter 7, and Article 10 of the Government Code. The Emergency Planning Council (EPC) is an advisory body whose mission is to lead a unified effort in improving disaster preparedness, mitigation, response and recovery countywide. Furthermore, the Emergency Planning Council (EPC) will develop and recommend for adoption by the Board of Supervisors emergency and mutual aid plans and agreements and such ordinances, resolutions, rules, and regulations as necessary to implement plans and agreements.

The Emergency Planning Council is a (17) seventeen member body whose members represent County and City government, non-government organizations, non-profit organizations, the military and the private sector. The Chair of the Board of Supervisors is the Chair of the EPC. The Sheriff serves as the Director of Emergency Services serves as Vice-Chair, and the OES Assistant Director is the second Vice-Chair and the Executive Administrator for the EPC.

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Training

203.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST) and Standards and Training for Corrections (STC).

203.3 OBJECTIVES

The objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public.

(b) Increase the technical expertise and overall effectiveness of our personnel.

(c) Provide for continued professional development of department personnel.

(d) Ensure compliance with POST rules and regulations concerning law enforcement training.

203.4 MASTER TRAINING PLAN

A training plan will be developed and maintained by the Training Center captain. It is the responsibility of the Training Center captain to maintain, review, and update the training plan on an annual basis. The plan will address the following areas:

- Mandatory Training
- Essential Training
- Desirable Training

203.5 TRAINING NEEDS ASSESSMENT

The Training Center will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

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203.6 TRAINING SERGEANT

The Sheriff shall designate a Training Sergeant who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Sergeant should review the training plan annually.

203.6.1 TRAINING RESTRICTION

The Training Sergeant is responsible for establishing a process to identify deputies who are restricted from training other deputies for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

203.7 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and POST training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

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MINIMUM TRAINING REQUIREMENTS AND COURSE ATTENDANCE

204.1 PURPOSE AND SCOPE

Continuous training is a necessary part of being a deputy sheriff or dispatcher. As a law enforcement agency, the Department is required to comply with training guidelines as specified by The Commission on Peace Officer Standards and Training (POST) and state law. The In-Service Training Unit monitors and tracks all POST mandated training classes and ensures the department complies as a whole with the mandatory training deadlines. It is the responsibility of the individual stations or units within the Department to ensure compliance by their respective personnel.

204.2 REQUIRED TRAINING

POST requires that all peace officers, reserve officers and dispatchers, attend periodic update training. The following is a list of training currently mandated by POST:

(a) Sergeants, Deputies, Senior Deputies and Reserve Deputies

1. Arrest and Control (ARCON) -- 8 hours biennially or once every two years during the POST two-year training cycle
2. Communications -- 2 hours biennially
3. Continuing Professional Training (CPT) -- 24 hours biennially
4. Bias and Racial Profiling -- 2 hours every five years
5. Domestic Violence Complaints -- 2 hours biennially
6. First Aid and CPR -- 8 hours every 2 years
7. Tactical Firearms) -- 4 hours biennially
8. High Speed Vehicle Pursuits -- 2 hours annually
9. Driver Training/Awareness -- 4 hours biennially
10. Use of Force - 4 hours biennially

(b) Captains and above

1. Continuing Professional Training (CPT) -- 24 hours biennially
2. Bias and Racial Profiling -- 2 hours every five years
3. High Speed Vehicle Pursuits -- 2 hours annually

(c) Dispatchers

1. Continuing Professional Training (CPT) -- 24 hours biennially

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204.3 MEETING REQUIRED TRAINING

Most required training will be completed by attending an assigned training class at the Training Center or other location. However, several courses must be completed by viewing a POST training video. Required training videos are located on the Department's intranet page.

Go to the Sheriff's homepage on the intranet, and click the "Training" tab. You will find the following POST video presentations on the training page:

(a) Domestic Violence Update

(b) Pursuit Driving Update

(c) Racial Profiling Update

(d) Tactical Communications

New training videos will be added to the intranet page as training requirements change. You may also access additional training by navigating to the POST Home-page or the POST Learning Portal.

204.4 FAILURE TO ATTEND ASSIGNED TRAINING

(a) An unexcused absence from an assigned training course will result in disciplinary action. A Divisional Personnel Report (DPR) will be placed into the deputy's division file upon the first failure to attend training. Additional unexcused absences for scheduled training dates within a 12-month period will result in progressive discipline.

(b) Sworn staff are responsible for notifying their facility or station training supervisor if they receive a subpoena or are assigned to some other task on the scheduled training date. As an example, attending court the day of a training class will not be considered an excused absence if the deputy had the opportunity to notify his or her training supervisor ahead of time and failed to do so.

(c) Sworn staff shall not be exempted from the requirements of this policy other than for immediate or emergency medical reasons or those on leaves of absence. Special circumstances preventing deputies from complying with this policy must be explained by memorandum addressed to the respective bureau commander.

204.5 DRESS

Staff assigned to the Training Center for instruction will dress appropriately. Business casual is preferred, however, jeans, t-shirts and shoes, which are free from holes and excess wear, are acceptable. T-shirts shall be free from inappropriate comments, profanity or pictures that are incompatible with the principles of the department. Open-toed shoes shall not be worn during training classes.

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Generally, shorts, tank tops and sandals are prohibited. However, suitable athletic clothing will be permitted when attending Arrest and Control (ARCON) training, range qualification or any other training that requires physical exertion.

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Electronic Mail

205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the department's electronic mail (e-mail) system by employees of this department. E-mail is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the e-mail system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the department.

205.2 E-MAIL RIGHT OF PRIVACY

All e-mail messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its e-mail system or that is stored on any department system.

The e-mail system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the e-mail system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of e-mail. Employees using the Department’s e-mail system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange e-mail or other information that is related to the official business of the Department.

205.3 PROHIBITED USE OF E-MAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the e-mail system is prohibited and may result in discipline. This includes all photographs sent through the department's electronic mail system. Profile/ signature photographs that can be attached to email programs such as Microsoft Outlook shall only be a photograph of the employee on the email account and shall only be an official Sheriff's Office portrait photograph.

E-mail messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved at the command staff level. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's e-mail, name and/or password by others.

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205.4 MANAGEMENT OF E-MAIL

Because the e-mail system is not designed for long-term retention of messages, e-mail that the employee desires to save or that becomes part of an official record should be printed and/or stored in another database. Users of e-mail are solely responsible for the management of their mailboxes. Messages should be purged manually by the user at least once per week. All messages in excess of one month will be deleted at regular intervals from the server computer.

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SPECIAL COUNSEL, NOTIFICATION OF

206.1 PURPOSE AND SCOPE

To provide guidelines for the notification of Sheriff's Special Counsel subsequent to the occurrence of incidents likely to result in civil litigation.

206.2 PROCEDURE

Whenever an incident occurs that is likely to result in subsequent civil litigation, the watch commander shall immediately notify the Sheriff's Special Counsel.

(a) Such incidents include:

1. Critical injury or death of an individual directly or indirectly related to the conduct of any deputy or related to an employee other than a deputy while on duty and acting within the scope of employment.
2. Critical injury or death of an inmate, under any circumstances, including suicide.
3. Any officer-involved shooting.
4. Any vehicle, aircraft or watercraft collision or crash involving a Sheriff's unit, aircraft or vessel, or fleeing suspect's vehicle resulting in injury or serious property damage to third parties.
5. Any incident involving major property damage to third parties as a result of the conduct of any deputy or other employee while on duty.
6. Any other circumstance wherein it is deemed appropriate by the watch commander or the division commander that the Special Counsel be notified.

(b) The Sheriff's Special Counsel is available on 24-hour call and may respond to the scene of such incidents to initiate an investigation.

(c) The watch commander shall notify the Assistant Sheriff of the division of such an incident. SPECIAL COUNSEL CONTACT NUMBERS: Special Counsel: Jim Eicher [redacted]

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Administrative Communications

207.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

207.2 CORRESPONDENCE

In order to ensure that the letterhead and name of the Sheriff's Office are not misused, all external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Sheriff. Personnel should use department letterhead only for official business and with approval of their supervisor.

207.2.1 AUTHORIZATION TO SIGN

The following managers are authorized to sign outgoing correspondence on departmental letterhead:

1. Undersheriff
2. Assistant Sheriff
3. Commander
4. In addition to the aforementioned executives, commanders may designate captains, professional staff, and other personnel under their command who, by specialized assignment or need, may sign outgoing correspondence on departmental letterhead. A list of these persons will be provided to the Sheriff.
    1. Assistant Sheriff's may designate personnel who may sign outgoing correspondence on departmental letterhead. A list of these persons will be provided to the Sheriff.
    2. Bureau commanders and captains may initiate correspondence addressing day-to-day business within the County structure.

207.2.2 CONTENT RESPONSIBILITIES

Each of the above shall be held responsible for the content and composition of all correspondence. Outgoing correspondence will not display the Sheriff's name in the signature block unless he is actually signing it.

All correspondence requiring a response, or likely to initiate questions, shall include the name and telephone number of the contact person within the Department.

207.3 SURVEYS

All surveys made in the name of the Department shall be authorized by the Sheriff or his designee.

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COUNTY COUNSEL REQUEST FOR WRITTEN OPINION

208.1 PURPOSE AND SCOPE

To establish the procedure for requesting written County Counsel opinions.

208.2 PROCEDURE

(a) All requests for County Counsel to provide a written opinion shall be requested in writing.

(b) Written requests will be directed through proper channels to the Sheriff.

(c) Requests of an urgent nature should be so stated. Before making a request, check the files to ascertain if an opinion of this nature has been given in the past.

(d) The Sheriff will evaluate the request. If approved, it shall then be forwarded to the County Counsel's office.

208.3 CONTENT

Opinions will be requested on matters of law interpretation and not on the policy of enforcement. The request should contain all pertinent information relating to the problem in a clear and concise manner.

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Retirement Badges, Plaques and Identification

209.1 PURPOSE

To provide guidelines for the issuance of badges and plaques to members and volunteers who have honorably ended their service with the Ventura County Sheriff's Office.

209.2 DEFINITIONS

A. **Sworn Personnel**

- All personnel who act in the capacity of peace officers, including reserve deputy sheriffs.

B. Professional Staff

- All other personnel employed with the Ventura County Sheriff's Office.

C. **Volunteers**

- All non-compensated personnel associated with the Ventura County Sheriff's Office.

D. **Retirement Badge**

- A flat replica of the Ventura County deputy sheriff badge with the word "RETIRED “used in lieu of a number.

E. **Badge Plaque**

- A suitable plaque commemorating the years of service of a sworn member of the Ventura County Sheriff's Office, which has attached a duplicate of the officer's badge.

F. **Progression of Badges**

- A memento depicting the ranks held during a career by a display of badges encased in acrylic or other suitable material.

G. **Medallion Plaque**

- A suitable plaque commemorating the years of service of a sworn or general member of the Ventura County Sheriff's Office, which has attached a facsimile of the Ventura County Sheriff's badge.

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H. **Resolution/Certificate of Appreciation**

- A formal recognition of performance or service by a governmental body.

209.3 GUIDELINE FOR ELIGIBILITY

(a) All of the above classifications of personnel may be eligible for recognition from the Department for their years of service and upon their honorable discharge from duties.

(b) Sworn personnel, including reserves, who resign after five (5) or more years of service may be eligible to receive a medallion plaque.

(c) Sworn personnel, including reserves, who resign after ten (10) or more years of service may be eligible to receive a badge incased in Lucite.

(d) Sworn personnel, including reserves, who retire after twenty (20) or more years of service may be eligible to receive a retirement badge, and a badge incased in Lucite. The rank of Commander and above may also be eligible to receive a progression of badges memento.

(e) Professional Staff, who resign or retire after ten (10) of more years of service and are issued a badge as part of their uniform, may be eligible to receive a badge incased in Lucite.

(f) Personnel, both sworn and general, who resign or retire after twenty (20) or more years of service may receive a resolution/certificate of appreciation from city, county, or state governments. All requests for such resolutions or certificates shall be directed to the Support Services Division Human Resource Bureau Manager.

(g) Professional Staff who resign or retire after ten (10) or more years of service and are not issued a badge, as part of their uniform may be eligible to receive a medallion plaque.

(h) Personnel who do not meet the above requirements, or who retire as the result of a medical disability, may be eligible to receive the appropriate item(s) of recognition, depending on the circumstances that led to the end of their service. The Sheriff or his designee will decide such special cases on an individual basis.

209.4 RETIREE CONCEALED FIREARMS

See Retiree Concealed Firearm policy

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Retiree Concealed Firearms

210.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Ventura County Sheriff's Office identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Codes § 25455 and 26300).

210.2 POLICY

It is the policy of the Ventura County Sheriff's Office to provide identification cards to qualified former or retired deputies as provided in this policy.

210.3 LEOSA

The Sheriff may issue an identification card for LEOSA purposes to any qualified former deputy of this department who (18 USC § 926C(c)):

(a) Separated from service in good standing from this department as a deputy.

(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

(c) Has not been disqualified for reasons related to mental health.

(d) Has not entered into an agreement with this department where the deputy acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.

(e) Is not prohibited by federal law from receiving or possessing a firearm.

210.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former deputy and identify him/her as having been employed as a deputy.

If the Ventura County Sheriff's Office qualifies the former deputy, he or she will also maintain a separate certification that indicates the date the former deputy was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

210.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former deputy of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:

1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

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agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

210.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn deputy of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

(a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any deputy who retires in lieu of termination.

(b) No CCW Approved endorsement shall be issued to any deputy retiring because of a psychological disability (Penal Code § 26305).

210.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired deputy shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

(a) A photograph of the retiree.

(b) The retiree’s name and date of birth.

(c) The date of retirement.

(d) The name and address of this department.

(e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed every five years. If a CCW endorsement has been denied or revoked, the identification card shall be stamped “No CCW Privilege.”

210.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Ventura County Sheriff's Office shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

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(a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.

(b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.

(c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

210.4.3 QUALIFIED RETIRED RESERVES

Qualified retired reserve officers who meet the department requirements shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).

210.5 FORMER DEPUTY RESPONSIBILITIES

A former deputy with a card issued under this policy shall immediately notify the Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

210.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former deputy shall:

(a) Sign a waiver of liability (see attached link below "Ventura County Sheriff's Office Retired Officer CCW Endorsement Form") of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department. Retired_Officer_CCW_Endorsement_Form.pdf

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

(d) It is recommended that retirees annually show proficiency in the safe handling and firing of their weapon in a course of fire under the direct supervision of a "Department Approved Firearms Instructor: as defined in the "Ventura County Sheriff's Office Retired Officer CCW Endorsement Form".

210.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired deputy shall (Penal Code § 26305):

(a) Qualify annually with the authorized firearm at a course approved by this department at the retired deputy's expense.

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Not engage in conduct that compromises public safety.

(d) Only be authorized to carry a concealed firearm inspected and approved by the Department.

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210.6 DENIAL, SUSPENSION, OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or revoked, the former deputy may request a review by the Sheriff. The decision of the Sheriff is final.

210.7 DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement for any deputy retired, or retiring, from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Sheriff or his designee when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

(a) In the event that a CCW endorsement is initially denied, the retired deputy shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

(b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

(c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).

1. The decision of such hearing board shall be binding on the Department and the retiree.
2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."

(d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify their supervisor and/or the Watch Commander as soon as practicable. The Watch Commander will notify the Sheriff or his designee of the circumstances. The Watch Commander or the Sheriff's Adjutant should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.

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(e) Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).

(f) The Watch Commander or the Sheriff's Adjutant should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Sheriff.

(g) The personal and written notification should be as follows:

1. The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period
2. The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
3. The retiree's CCW endorsement is immediately and temporarily suspended.

(h) In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

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Chapter 3 - General Operations

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Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the deputy or another person (Government Code § 7286(a)).

Intercede - includes, but is not limited to, physically stopping the excessive force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to deescalate the offending officer's excessive force, and confronting the offending officer about the excessive force during the use of force and, if the officer continues, reporting to dispatch or the watch commander on duty and stating the offending officer's name, unit, location, time, and situation, in order to establish a duty for the officer to intervene (Government Code 7286(a)(4)).

Retaliation - means demotion, failure to promote to a higher position when warranted by merit,l denial of access to training and professional development opportunities, denial of access to resources necessary for an officer to properly perform their duties, or intimidation, harassment, or the threat of injury while on duty or off duty (Government Code 7286(a)(6)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the deputy at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

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300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Deputies are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Deputies must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting deputies with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any deputy present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable deputy under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each deputy should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.2.2 DE-ESCALATION

When feasible, deputies should utilize de-escalation techniques in an attempt to gain voluntary compliance from resistive subjects prior to the use of force. De-escalation techniques that are used, or the reason they were not used, should be documented by the deputy in the related report.

300.2.3 FAIR AND UNBIASED USE OF FORCE

Deputies are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)). See the Bias-Based Policing Policy for additional guidance.

300.2.4 DUTY TO REPORT EXCESSIVE FORCE

Any deputy who observes a law enforcement officer or an employee use force that potentially exceeds what the deputy reasonably believes to be necessary shall immediately report these observations to a supervisor (Government Code § 7286(b)).

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.2.5 FAILURE TO INTERCEDE

A deputy who has received the required training on the duty to intercede and then fails to act to intercede when required by law, may be disciplined in the same manner as the deputy who used force beyond that which is necessary (Government Code § 7286(b)).

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300.2.6 RETALIATION PROHIBITED FOR REPORTING VIOLATIONS

A deputy shall not be retaliated against for reporting a suspected violation of a law or regulation of another deputy to a supervisor or other person in the Department who has the authority to investigate the violation (Government Code § 7286(b)).

300.3 USE OF FORCE

Deputies shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Deputies may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the Department. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall a deputy be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

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300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

(a) The apparent immediacy and severity of the threat to deputies or others (Penal Code § 835a).

(b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time (Penal Code § 835a).

(c) Deputy/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).

(d) The conduct of the involved deputy leading up to the use of force (Penal Code § 835a).

(e) The effects of suspected drugs or alcohol.

(f) The individual's apparent mental state or capacity (Penal Code § 835a).

(g) The individual’s apparent ability to understand and comply with deputy commands (Penal Code § 835a).

(h) Proximity of weapons or dangerous improvised devices.

(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).

(k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.

(l) Training and experience of the deputy.

(m) Potential for injury to deputies, suspects, bystanders, and others.

(n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.

(o) The risk and reasonably foreseeable consequences of escape.

(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.

(r) Prior contacts with the subject or awareness of any propensity for violence.

(s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies may only apply those pain compliance techniques for which they have

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successfully completed department-approved training. Deputies utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the deputy.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the deputy determines that compliance has been achieved.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, deputies may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, deputies are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, deputies should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

300.3.5 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, deputies should consider actions that may increase deputy safety and may decrease the need for using force:

(a) Summoning additional resources that are able to respond in a reasonably timely manner.

(b) Formulating a plan with responding deputies before entering an unstable situation that does not reasonably appear to require immediate intervention.

(c) Employing other tactics that do not unreasonably increase deputy jeopardy.

In addition, when reasonable, deputies should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

(a) Attempts to de-escalate a situation.

(b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

300.3.6 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Deputies of this department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person’s trachea or windpipe (Government Code § 7286.5).

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300.3.7 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence or pre-existing medical conditions. While it is impractical to restrict a deputy's use of reasonable control methods when attempting to restrain a combative individual, deputies are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once the individual is safely secured, deputies should promptly check and continuously monitor the individual's condition for signs of medical distress (Government Code § 7286.5).

300.4 DEADLY FORCE APPLICATIONS

Where feasible, the deputy shall, prior to the use of deadly force, make reasonable efforts to identify themself as a peace officer and to warn that deadly force may be used, unless the deputy has objectively reasonable grounds to believe the person is aware of those facts (Penal Code § 835a).

If an objectively reasonable deputy would consider it safe and feasible to do so under the totality of the circumstances, deputies shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, deputies should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the deputy reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

(a) A deputy may use deadly force to protect themself or others from what the deputy reasonably believes is an imminent threat of death or serious bodily injury to the deputy or another person.

(b) A deputy may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the deputy reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

Deputies shall not use deadly force against a person based on the danger that person poses to themself, if an objectively reasonable deputy would believe the person does not pose an imminent threat of death or serious bodily injury to the deputy or to another person (Penal Code § 835a).

Additionally, a deputy should not use deadly force against a person whose actions are a threat solely to property.

An "imminent" threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable deputy in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the deputy or another person. A deputy's subjective fear of future harm alone is insufficient as

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an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and involve considerations and risks in addition to the justification for the use of deadly force. When feasible, deputies should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others (Government Code § 7286(b)).

Deputies should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, deputies should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

(a) If the deputy does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.

(b) If the deputy reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the deputy no longer perceives such threat.

Once it is reasonably safe to do so, deputies should carefully secure all firearms.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The deputy should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. These reports shall be completed in a General Offense Report with an assigned RB number. The report shall include a narration in the Officer's Narrative describing the use of force. A separate Blue Team Use of Force template shall also be completed.

Physical force is defined as any physical contact with, or use of any lethal or less-lethal weapon against a person (or persons), where there is a reasonable potential for injury. For "hands-on" techniques, it does not include manual escorts but does include control holds, take-downs, pressure points, strikes, etc. It also includes any deployment of a less-lethal weapon regardless of whether or not the person is actually struck or contacted. Examples include: baton strike (whether or not contact is made), discharge of OC at a person, Taser deployment (probes fired at a person or drive stun), 40mm launcher and less lethal shotgun discharge (whether or not contact is made).

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Pointing a firearm, less lethal shotgun, 40mm launcher, or Taser (with or without the laser) directly at a person or displaying a warning arc at a suspect are all considered uses of force; however, they are not considered physical force under this policy. These incidents shall be accurately documented in a General Offense Report. In cases where more than one deputy points a firearm, less lethal shotgun, 40mm launcher, or Taser at the same suspect(s) at the same time (for example, during a high risk traffic stop), only one deputy needs to document the use of force for the group.

300.5.1 NOTIFICATION TO SUPERVISOR

Any use of force by a deputy shall be reported immediately to a supervisor, including but not limited to the following circumstances (Penal Code § 832.13)

(a) The application caused a visible injury.

(b) The application would lead a reasonable deputy to conclude that the individual may have experienced more than momentary discomfort.

(c) The individual subjected to the force complained of injury or continuing pain.

(d) The individual indicates intent to pursue litigation.

(e) Any application of a conducted energy device or control device.

(f) Any application of a restraint device other than handcuffs, shackles, or belly chains.

(g) The individual subjected to the force was rendered unconscious.

(h) An individual was struck or kicked.

(i) An individual alleges unreasonable force was used or that any of the above has occurred.

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.5.2 ADMINISTRATIVE NOTIFICATION TO AREA CAPTAIN

All uses of force also require notification to the area/unit captain. The on-duty sergeant shall notify the area captain and review the Blue Team Use of Force template. The sergeant will complete the summary portion of the template and forward the Blue Team Use of Force to the area/unit captain. Absent extenuating circumstances or permission from the area/unit captain, the Blue Team Use of Force template shall be submitted by the end of the shift.

This notification process is separate from those listed in the Critical Incidents and Shooting, Member Involved policy.

300.5.3 AREA CAPTAIN RESPONSIBILITIES

Area captains receiving a Blue Team Use of Force Notification shall review the force incident for policy compliance and liability issues. If the reviewing captain believes the force incident is within policy, the captain shall forward the Blue Team Use of Force to the Incident Review Team (IRT) for training purposes. If the captain believes the force incident is, or may be, out of compliance with policy, the captain shall forward their findings to the division commander for possible referral

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to the Internal Affairs Captain for further review. When the matter is referred to Internal Affairs, the Blue Team Use of Force Notification shall be retrieved from the Blue Team database.

300.5.4 PROFESSIONAL STANDARDS RESPONSIBILITIES

The Audit and Inspections Unit Captain shall obtain a Use of Force Report monthly. The report is generated from the VCIJIS system and provides a department wide list of all reportable use of force. The Audit and Inspections Unit will review this report as a starting point to identify any potential trends or problems related to liability, training, policy issues, etc. Areas of concern will be reported to the Professional Standards commander for possible action. Additionally, the Audit and Inspections Unit captain shall forward the Use of Force Report to the area captains monthly for their review.

300.5.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Bureau Policy.

300.5.6 REPORT RESTRICTIONS

Deputies shall not use the term "excited delirium" to describe an individual in an incident report. Deputies may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical and mental condition at issue as "excited delirium" (Health and Safety Code § 24402).

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, properly trained deputies should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed.

Based upon the deputy's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another deputy and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling deputy shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the deputy reasonably

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believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain, or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

(a) Obtain the basic facts from the involved deputies. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(d) Identify any witnesses not already included in related reports.

(e) Review and approve all related reports.

(f) Determine the potential likelihood for civil litigation. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.,

(g) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.8 USE OF FORCE ANALYSIS

At least annually, FTAC (Force Training Analysis Committee) should prepare an analysis report on the use of force incidents. Copies of the report should be submitted to all four Assistant Sheriffs. The report should not contain the names of deputies, suspects, or case numbers, and should include:

- The identification of any trends in the use of force by members

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- Training needs recommendations
- Equipment needs recommendations
- Policy revision recommendations

300.9 TRAINING

Deputies, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Subject to available resources, the Training Sergeant should ensure that deputies receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

(a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.

(b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

See the Training Policy for restrictions relating to deputies who are the subject of a sustained use of force complaint.

300.10 POLICY AVAILABILITY

The Sheriff or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.11 POLICY REVIEW

The Sheriff or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

300.12 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

300.13 PUBLIC RECORDS REQUESTS

Requests for public records involving a deputy’s personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code § 7286(b)).

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Handcuffing and Restraints

301.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

301.2 POLICY

The Ventura County Sheriff's Office authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

301.3 USE OF RESTRAINTS

Only members who have successfully completed Ventura County Sheriff's Office-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, deputies should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

301.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

301.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

No person who is in labor, delivery or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

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determination that such restraints are necessary for the safety of the arrestee, deputies or others (Penal Code § 3407; Penal Code § 6030).

301.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the deputy, or damage property.

301.3.4 NOTIFICATIONS

Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

301.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Deputies should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, deputies should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, deputies should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

301.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the deputy reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Deputies utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Deputies should provide assistance during the movement of a restrained person due to the potential for impairing or

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distorting that person's vision. Deputies should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

301.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

301.6.1 AUTHORIZED LEG RESTRAINT

The RIPP Hobble, manufactured by RIPP Restraints, in the only hobble authorized by the Sheriff's Office. Deputies shall only use the approved RIPP Hobble leg restraint.

Leg shackles may also be used as a leg device.

301.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, deputies should consider:

(a) Whether the deputy or others could be exposed to injury due to the assaultive or resistant behavior of a person.

(b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting deputy while handcuffed, kicking at objects or deputies).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

301.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

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(a) If practicable, deputies should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the deputy arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.

(d) The restrained person should be continually monitored by a deputy while in the leg restraint. The deputy should ensure that the person does not roll onto and remain on his/her stomach.

(e) The deputy should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by emergency medical services, the restrained person should be accompanied by a deputy when requested by medical personnel. The transporting deputy should describe to medical personnel any unusual behaviors or other circumstances the deputy reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

301.8 AUTHORIZED PROTECTIVE HEADGEAR

Protective Headgear, manufactured by ProForce or Century Martial Arts, are the only protective headgear authorized by the Sheriff's Office. Deputies shall only use headgear provided by the department.

301.8.1 GUIDELINES AND APPLICATION OF PROTECTIVE HEADGEAR

Protective headgear may be used to protect the head of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation.

A supervisor shall be notified as soon as practicable after the application of the protective headgear.

In determining whether to use the protective headgear, deputies should consider:

(a) Whether the deputy or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

(b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit)

(c) Whether it is reasonably necessary to avoid damage to property (e.g., use of their head to strike at windows of the patrol unit).

(d) Protective headgear should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such

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cases, prompt medical care should be obtained. If the person vomits while wearing protective headgear, the protective headgear should be removed.

Those who have had protective headgear placed on them should be continually monitored by sworn personnel and shall not be left unattended until the protective headgear is removed. The protective headgear will be cleaned and disinfected after each use through the use of antibacterial sprays and/or wipes.

301.9 AUTHORIZED BODY RESTRAINT

The WRAP Restraint, manufactured by Safe Restraints, Inc., is the only body restraint device authorized in a patrol environment. Additional body restraint devices may be authorized for use in Detention Services. Deputies shall only use approved body restraint devices.

301.9.1 APPLICATION OF THE WRAP

The WRAP shall be applied by a minimum of two deputies. Only qualified personnel who have received training in the use of The WRAP should use this restraining device.

A supervisor shall be notified as soon as practicable after the application of The WRAP. The Watch Commander shall be notified if an individual is kept in The WRAP for longer than 60 minutes. The Watch Commander may authorize or deny continued use of The WRAP at the Watch Commander's discretion based on the totality of the circumstances the deputy is facing. If continued use of The WRAP is authorized, the Watch Commander should set a clear time frame for removal or renotification and ensure the subject is being continually monitored for signs of medical distress

301.9.2 TRANSPORTATION

To carry the restrained person, a minimum of 3 personnel shall be used. Depending on the size and weight of the subject, more may be necessary. Use of a gurney in the seated position is also a method for escort.

Restrained subjects may be transported in a patrol unit. Prior to transport, re-check all belts to ensure that they are securely fastened. The subject shall be in a seated upright position and secured by a seat belt. When transported by ambulance, the subject shall be accompanied by a Deputy.

301.9.3 GUIDELINES FOR THE USE OF THE WRAP

Subjects shall be monitored and kept under constant supervision by sworn personnel at all times while in The WRAP. If the restrained subject complains or shows signs of respiratorydistress (i.e., coughing, gasping, gagging, visibly short of breath, unable to speak in full sentences, breathing more than 30 times per minute, complaint of inability to breath, change in facial color, loss of consciousness, sudden quiet or inactivity, etc.), the device shall be removed, and medical attention shall be sought immediately. The WRAP can be used prior to or after a violent/ combative subject is controlled using approved departmental methods, in order to limit a violent/combative subject

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from causing injury to themselves or others, or to prevent the violent/combative subject from causing property damage by kicking. As with any restraint device, do not assume The WRAP is escape proof.

The WRAP should only be used under the following situations:

(a) When pre-assaultive, violent, or combative behavior is indicated. Pre-assaultive indicators are actions or statements made by a person that a reasonable deputy would believe indicate the person will become violent or destructive if arrested or transported and use of The WRAP would prevent injuries or damage caused by that person.

(b) To immobilize a violent/combative subject.

(c) When conventional methods of restraint are not effective.

(d) In transportation of violent/combative subjects.

Once the subject is properly restrained in The WRAP, the subject shall be placed on his/her side, or in a sitting position. This will increase the oxygen recovery rate and will reduce the incident of respiratory fatigue.

The WRAP is only intended for use during vehicle transportation, when transporting a violent inmate to/from court or in a hospital environment where other forms of restraint have proven to be ineffective in safely controlling the subject.

Use of The WRAP as punishment, discipline, playfulness, or carelessness is strictly forbidden.

Subjects whose behavior is problematic, and/or a nuisance only, shall not be restrained in The WRAP. No arrestee in The WRAP shall be subjected to ridicule, embarrassment or inhumane treatment.

301.9.4 NOTIFICATION TO JAIL STAFF

If an arrestee is transported to the jail in The WRAP, the transporting deputy shall notify booking deputies of its use. The booking nurse shall be notified of its usage so the arrestee can be evaluated for signs of respiratory distress

301.10 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the deputy shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Deputies should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.

(b) Supervisor notification and approval of restraint use.

(c) The types of restraint used.

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(d) The amount of time the person was restrained.

(e) How the person was transported and the position of the person during transport.

(f) Observations of the person's behavior and any signs of physiological problems.

(g) Any known or suspected drug use or other medical problems.

301.11 TRAINING

Subject to available resources, the Training Sergeant should ensure that deputies receive periodic training on the proper use of handcuffs and other restraints, including:

(a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.

(b) Response to complaints of pain by restrained persons.

(c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

(d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

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Control Devices and Techniques

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

302.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Ventura County Sheriff's Office authorizes deputies to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Sheriff or the authorized designee.

Only deputies who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, deputies should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

302.4 RESPONSIBILITIES

302.4.1 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to County property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

302.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

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When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

302.6 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

302.6.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

302.6.2 TREATMENT FOR OC SPRAY EXPOSURE

1. The following procedure should be followed after exposing a suspect to pepper spray (O.C.)
    (a) Decontamination procedure for the suspect should begin as soon as the exposed suspect has been properly restrained and the situation is safe for the deputy.
    (b) Decontamination should be based on the effects being displayed or verbalized by the suspect.
2. Decontamination should consist of the following:
    (a) EXPOSE TO FRESH AIR - Fresh air is defined as air free from pepper spray. Moving air from a fan, open window or wind is preferred and will help to reduce the effects.
    (b) WATER '" Water should be used for the following effects. If the suspect is complaining of pain to the skin, water can be applied to the effected area by splashing, pouring, misting or wet towel (no rubbing).
3. If the suspects eyes are closed and they are complaining of pain they should be instructed to keep their eyes closed. Pepper spray is only painful when the eyes are open. If complaint of pain to the eyes continues, water can be splashed, poured or misted onto the eyes. Do not force or flush water into the eyes.
    (a) Be advised that using water around the eyes when they are not affected can activate the pepper spray and re-effect the eyes.
    (b) SOAP AND WATER '" Pepper spray will rapidly dry after being sprayed. To ensure complete removal the officer should wash with soap and water. The suspect should be advised at booking to wash with soap and water.

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4. The suspect should be told not to use salves, ointments or moisturizing agents on the effected areas.
5. Remove contaminated clothing as soon as practical.
6. Deputies are reminded that some people wear contact lenses and that, when it is safe to do so, the person exposed to the OC should be permitted to remove them in order to ensure a thorough flushing.
7. If the suspect is still experiencing symptoms 45 minutes after decontamination measures have been taken, the deputy shall obtain medical treatment for the exposed subject.

302.7 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, deputies should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.

302.8 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

Kinetic energy projectiles are approved by the department and are fired from a Remington 870, 12 ga. shotgun with an 18" barrel or a modified 14" barrel, florescent orange stock and fore end or 37mm / 40mm weapons. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury. Kinetic energy projectiles include the following:

"Super-Sock" 12 ga. or munitions currently approved and issued by the department.

37mm / 40mm Multiple Rubber Baton Rounds or a Single Baton Round

37mm / 40mm Stinger Rubber Rounds

Assorted Jaycor Pepperball Munitions

302.8.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Deputies are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved deputy determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and deputies takes priority over the safety of subjects engaged in criminal or suicidal behavior.

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Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.

(b) The suspect has made credible threats to harm him/herself or others.

(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or deputies.

(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

302.8.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the deputy should consider such factors as:

(a) Distance and angle to target.

(b) Type of munitions employed.

(c) Type and thickness of subject’s clothing.

(d) The subject’s proximity to others.

(e) The location of the subject.

(f) Whether the subject’s actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other deputies and individuals that the device is being deployed.

Deputies should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, deputies are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

302.8.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

(a) At the beginning of each shift, the deputy assigned the less lethal shotgun shall conduct a "B.E.E.F.S." (Refer to department's Firearms and Qualification Policy for

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details) check of the weapon to ensure the weapon is operational and unloaded. The side saddle shall only contain six (6) rounds of the department approved bean-bag ammunition.

(b) The Less Lethal Shotgun shall be stored unloaded. The weapon should only be loaded at the scene of the incident, by the deputy intending to fire the weapon. The deputy intending to fire the weapon is responsible for confirming the loading of the approved ammunition. When deployment is not anticipated, the weapon shall remain in the trunk or secured area of the vehicle.

(c) Range qualification and subsequent training of all extended range impact weapons, including the less lethal shotgun, shall be under the direct supervision of department approved instructors. Deputies will be required to demonstrate current proficiency in the use of the 12 ga. less lethal shotgun and munitions, as well as the TASER once every year, during the bimonthly qualification designated for less lethal training.

302.9 TRAINING FOR CONTROL DEVICES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

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Conducted Energy Device

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

303.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to deputies and suspects.

303.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

CEDs are issued to an individual deputy and shall remain assigned to that deputy until the device is replaced. The Training Center In-Service Sergeant shall maintain a complete agency CED, battery, cartridge, and magazine inventory list. Each station will be supplied with batteries for docking stations and extra cartridges to issue deputies as needed.

Deputies shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed deputies who have been issued the CED shall wear the device in an approved holster.

Deputies who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon (Penal Code § 13660).

(a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.

(b) For single-shot devices deputieswill be issued one magazine containing 10 cartridges. Replacement cartridges will be supplied by a station administrative sergeant or CED liaison.

(c) Deputies should not hold a firearm and the CED at the same time.

(d) Deputies shall not have more than one CED battery in their possession.

(e) Deputies should dock and charge the CED battery once every 30 days or when the battery life reaches 20%, whichever comes first.

Non-uniformed deputies may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

303.3.1 USER RESPONSIBILITIES

Deputies shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the deputy's shift.

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CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Training Center for disposition. Deputies shall submit documentation to the Training Center Captain stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

303.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.

(b) Provide other deputies and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with a deputy's lawful orders and it appears both reasonable and feasible under the circumstances, the deputy may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the deputy deploying the CED in the related report.

303.4.1 PROBE REMOVAL / POST DEPLOYMENT PROCEDURE

(a) Deputies trained in removing probes from non-sensitive areas should remove probes as soon as practical, unless exigent circumstances exist. Probe removal from sensitive areas (e.g. groin, female breast, near the eyes) should be done by qualified medical personnel as soon as practical.

(b) Probes shall be treated as a biohazard and handled appropriately.

(c) Anytime the CED is used, regardless if it strikes the person, the cartridge, wires, and probes shall be collected and booked into evidence whenever they can be recovered. If the cartridge, wires, and/or probes cannot be recovered and booked into evidence, the reason should be documented in a report.

(d) If a CED is utilized the deputy shall present the CED device to a supervisor for a data download and cartridge replacement prior to end of the shift.

(e) A supervisor shall ensure data downloads are completed, deputies complete reports and that photographs are taken of the probes, the probe impact sites and any injuries or non-injuries related to the use of the CED.

(f) A supervisor shall ensure their administrative sergeant or CED liaison, and Training Center In-Service Sergeant are notified of the usage.

(g) Each division shall have a CED liaison that is responsible for maintaining the download reports on each weapon and shall ensure a control log is maintained for CED associated equipment, such as cartridges or batteries.

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303.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, a deputy designated as lethal cover for any deputy deploying a CED may be considered for officer safety.

303.5.1 APPLICATION OF THE CED

The CED may be used, when the circumstances reasonably perceived by the deputy at the time indicate that such application reasonably appears necessary to control a person who:

(a) Is violent or is physically resisting.

(b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm deputies, themself, or others.

Mere flight from a pursuing deputy, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject or others, and the deputy reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

(a) Individuals who are known to be pregnant.

(b) Elderly individuals or obvious juveniles.

(c) Individuals with obviously low body mass.

(d) Individuals who are handcuffed or otherwise restrained.

(e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

(f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between deputies and the subject, thereby giving deputies time and distance to consider other force options or actions.

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303.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, deputies should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

303.5.4 MULTIPLE APPLICATIONS OF THE CED

Once a deputy has successfully deployed two probes on the subject, the deputy should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors deputies may consider include but are not limited to:

(a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

(b) Whether the probes are making proper contact.

(c) Whether the individual has the ability and has been given a reasonable opportunity to comply.

(d) Whether verbal commands or other options or tactics may be more effective.

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the deputy must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

303.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Deputies should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures of the CED. As soon as practicable, deputies shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

When a CED is **unintentionally discharged** by a member of this Office, the following shall occur:

1. The member shall immediately determine if anyone was injured and, if necessary, render aid and/or appropriate emergency medical services.
2. The member shall immediately notify a supervisor. As soon as practical, the member shall write a memorandum detailing the event and submit it to the supervisor.
    (a) The Supervisor shall ensure that a copy of all documentation related to the incident is routed to the Captain and Commander where the employee is assigned.
3. If it is believed the CED may have malfunctioned:
    (a) the supervisor shall obtain and submit the involved CED, any other item which may have contributed to the discharge (such as a holster, etc.), and a copy of all

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related documentation to the Training Center Captain. Unintentional discharges caused by an obvious trigger pull do not require that the device or its associated items be sent to the Training Center.

(b) The CEDliaison deputy representing the member's assignment shall arrange for a replacement CED, or related equipment, as needed.

(c) The Training Center Captain will be responsible for notifying the Support Services Commander.

(d) The Training Center Captain, or designee, shall arrange for a qualified Department CED instructor to conduct an inspection of the CED to determine if a mechanical malfunction could have been responsible for, or contributed to, the discharge.

(e) The person conducting the inspection shall write a memorandum describing the mechanical condition of the CED and any related equipment, the apparent cause(s) of the discharge, and any recommendations regarding the CED, equipment or training of the involved member and forward it to the Training Center Captain. As needed, the Training Center Captain shall seek the expertise of a qualified expert should the CED or other factors exceed the capabilities of the department CED Instructor(s).

(f) The Training Center Captain shall forward the findings to the Professional Standards Commander for disposition.

4. If the discharge of the taser is not related to a malfunction, the supervisor shall forward the memorandum to the Training Center Captain.

5. Members are considered negligent if their actions in any way contributed to the discharge, or the discharge occurred during the course of some prohibited or unsafe action.

6. Members found to be responsible for the discharge due to negligence may be required to participate in remedial training and may be subject to progressive discipline. The appropriate level of training and discipline shall be determined on a case-by-case basis by the Professional Standards Commander after an appropriate investigation is conducted. In all cases, at a minimum a training DPR shall be completed to memorialize the incident.

7. If applicable, the Training Center shall contact the member as soon as practicable and schedule remedial training if the discharge was due to negligent handling of the CED.

8. The member must successfully complete the remediation training that shall be documented by the CED Instructor conducting the training. The memo detailing the training given and the member's ability to safely manipulate and operate the CED at the completion of training shall be maintained in the member's training file. Successful completion of remedial training shall not preclude the imposition of further sanctions as provided in number eleven above.

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303.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety. An incident report shall be completed to document the CED deployment.

303.5.7 OFF-DUTY CONSIDERATIONS

Deputies are not authorized to carry department CEDs while off-duty.

Deputies shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

303.6 DOCUMENTATION

Deputies shall document all CED discharges in the related arrest/crime reports and the CED report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

303.6.1 REPORTS

The deputy should include the following in the arrest/crime report:

(a) Identification of all personnel firing CEDs

(b) Identification of all witnesses

(c) Medical care provided to the subject

(d) Observations of the subject's physical and physiological actions

(e) Any known or suspected drug use, intoxication, or other medical problems

303.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or deputies trained in probe removal and handling should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes or who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

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(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another deputy and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting deputy shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

303.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

303.9 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of a deputy's knowledge and/or practical skills may be required at any time, if deemed appropriate by the Training Center Sergeant. All training and proficiency for CEDs will be documented in the deputy's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Deputies who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with deputies who use the device.

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The Training Center Sergeant is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Training Center Sergeant should include the following training:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

(c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.

(d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.

(e) Scenario-based training, including virtual reality training when available.

(f) Handcuffing a subject during the application of the CED and transitioning to other force options.

(g) De-escalation techniques.

(h) Restraint techniques that do not impair respiration following the application of the CED.

(i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.

(j) Proper tactics and techniques related to multiple applications of CEDs.

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Critical incidents and Shooting, Member Involved

304.1 PURPOSE AND SCOPE

To establish policy and procedures for the notification of necessary personnel and the investigation of incidents whenever a member of this department is involved in a shooting or any other incident resulting in critical injury or death of a human being. The intent of this policy is to ensure that such incidents be investigated in a fair and impartial manner.

Nothing in this policy is intended to increase, modify, or in any way affect the current legal standards nor shall any deviation from these guidelines be considered a breach of any legal standard.

304.2 INVESTIGATION RESPONSIBILITY

The incident commander (IC) shall assume and maintain control of the incident. The IC shall have overall control of all personnel at the scene. This does not mean that the IC will control the investigation and the methods used. The Major Crimes Unit shall have overall control of the investigation and work as a branch under the IC. The Internal Affairs Unit will also work as a branch under the IC, in conjunction and consultation with the Major Crimes Unit. The IC shall be regularly briefed through the ICS command structure.

304.3 TYPES OF INVESTIGATIONS

Officer-involved shootings or critical incidents involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may relinquish its criminal investigation to an outside agency with the approval of the Sheriff or an Assistant Sheriff.

(b) A criminal investigation of the involved officer(s) conducted by an outside agency

(c) A civil investigation to determine potential liability conducted by the involved officer's agency

(d) An administrative investigation conducted by the involved officer's agency, to determine if there were any violations of department policy

304.4 JURISDICTION

Jurisdiction is determined by the location of the shooting or critical incident and the agency employing the involved officer(s). The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings/critical incidents:

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304.4.1 VENTURA COUNTY SHERIFF'S OFFICE DEPUTY WITHIN THIS JURISDICTION

The Ventura County Sheriff's Office is responsible for the criminal investigation of the suspect's actions, the civil investigation, and the administrative investigation. The criminal investigation of the officer-involved shooting or critical incident will be reviewed by the District Attorney's Office.

The Major Crimes Captain, or designee shall notify the Major Crimes Section of the District Attorney's Office of the incident. The role of the District Attorney's representative is to provide advice and assistance to the Major Crimes Unit.

304.4.2 ALLIED AGENCY'S OFFICER WITHIN THIS JURISDICTION

The Ventura County Sheriff's Office is responsible for the criminal investigation of the suspect's actions. The criminal investigation of the officer-involved shooting or critical incident will be conducted by Major Crimes.

304.4.3 VENTURA COUNTY SHERIFF'S OFFICE DEPUTY IN ANOTHER JURISDICTION

When the incident occurs within the jurisdiction of another agency, the Support Services Assistant Sheriff will determine the appropriate level of response. Responding personnel will offer assistance as requested by the responsible agency. The Internal Affairs Captain shall serve as liaison to outside agencies and the legal representatives of the involved members to ensure that the member's rights are protected.

304.4.4 INVESTIGATION RESPONSIBILITY MATRIX

The following table identifies the possible scenarios and responsibilities for the investigation of officer-involved shootings/critical incidents:

	Criminal Investigation of Suspect(s)	**Criminal Investigation of Officer(s)**	**Civil Investigation**	**Administrative Investigation**
VCSO Deputy in This Jurisdiction	VCSO Investigators	VCSO Investigators / District Attorney's Office	Sheriff's Special Counsel	VCSO Professional Standards Bureau
Allied Agency's Officer in This Jurisdiction	VCSO Investigators	VCSO Investigators/ District Attorney's Office	Involved Officer's Department	Involved Officer's Department
VCSO Deputy in Another Jurisdiction	Decision made by agency where incident occurred	Decision made by agency where incident occurred	Sheriff's Special Counsel	VCSO Professional Standards Bureau

304.5 THE INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or member involved critical incident.

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304.5.1 UNINVOLVED DEPUTY RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or critical incident, the first uninvolved deputy will be the deputy-in-charge and will assume the responsibilities of a supervisor until properly relieved. This deputy should, as appropriate:

(a) Secure the scene and identify and eliminate hazards for all those involved.

(b) Take reasonable steps to obtain emergency medical attention for injured individuals.

(c) Request additional resources from the Department or other agencies.

(d) Coordinate a perimeter or pursuit of suspects.

(e) Check for injured persons and evacuate as needed.

(f) Brief the supervisor upon arrival.

304.5.2 ON SCENE SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or critical incident, the first uninvolved supervisor should ensure completion of the duties as outlined above, plus:

(a) Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.

(b) Attempt to obtain a brief overview of the situation from any un-involved deputy(s).

1. In the event that there are no un-involved deputies, the supervisor should attempt to obtain a brief voluntary overview from one shooter deputy.

(c) If necessary, the supervisor may administratively order any deputy from this department to immediately provide public safety information necessary to secure the scene and pursue suspects.

1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.

(d) Absent a voluntary statement from any deputy(s), the initial on scene supervisor should not attempt to order any deputy to provide other than public safety information.

(e) Provide all available information to the watch commander and Sheriff's Communication Center (SCC). If feasible, sensitive information should be communicated over secure networks.

(f) Take command of and secure the incident scene with additional personnel until relieved by a detective supervisor or other assigned personnel.

(g) As soon as practical, involved deputies should be transported (separately, if feasible) to the station for further direction.

1. The involved deputies shall be ordered not to discuss the incident with each other except department investigators assigned to the incident. (This shall not preclude involved parties from consulting with a representative of their choice.)

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All personnel are reminded that any conversation with involved members is not privileged communication and is subject to legal discovery.

2. A Forensics Services Bureau technician will secure the weapon(s) of the involved officer(s) at the direction of Major Crimes. Internal Affairs will ensure that a replacement weapon is issued, if appropriate, with the appropriate instructions on the need to qualify with the new weapon before returning to duty.

304.5.3 WATCH COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or critical incident, the watch commander shall be responsible for coordinating the initial response and making appropriate notifications.

304.5.4 NOTIFICATIONS

- Dispatch a field supervisor to the location to secure the scene and ensure that the Incident Command System has been implemented.
- Notify the affected area bureau commander, or designee.
- Notify the Major Crimes Captain, or designee.
- Notify the Internal Affairs Captain.
- Notify the department chaplain, if requested.
- Notify Sheriff's Special Counsel.
- Notify VCDSA, if member involved.
- Ensure that a location is provided for the involved member(s) to be sequestered.
- Notify the Peer Support Program (PSP) Captain and PSP Officer Involved Shooting (OIS) team member. (Refer to on-call list kept in the watch commander's office.)
- Media inquiries should be directed to the incident commander, or assigned Public Information Officer, until a press release has been drafted.
- When the initial media release has been completed, the contents of the release should be read directly to the press without adding additional information.

304.5.5 MEDIA RELATIONS

A single press release shall be prepared with input and concurrence from the supervisor and agency representative responsible for each phase of the investigation.

The identities of involved deputies will only be released after approval by the Sheriff or his designee, or as required by law. Moreover, no involved deputy shall be subjected to contact from the media (Government Code § 3303(e) and no involved deputy shall make any comments to the press unless authorized by the Sheriff or his designee.

Law enforcement officials receiving inquiries regarding incidents occurring in other agency jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

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304.5.6 INVOLVED OFFICERS

While awaiting the arrival of the Internal Affairs Captain and Major Crimes Captain, the incident commander shall ensure that the scene is protected with the same care as any major crime scene.

The following shall be considered for the involved deputy:

(a) Any request for legal representation will be accommodated.

(b) While discussions with licensed attorneys will be considered privileged as attorney-client communications, no involved deputies shall be permitted to meet collectively or in a group with an attorney prior to providing a formal interview or report.

(c) Discussions with departmental representatives (e.g., employee association) will be privileged only as to the discussion of non-criminal information however, no involved (officers/deputies) shall be permitted to meet collectively or in a group with a representative or attorney prior to providing a formal interview or report (Government Code § 3303(i)).

(d) Upon notification from the watch commander, the Peer Support OIS member will confirm his/her response with the PSP Captain. The PSP OIS member will respond to where the involved deputy(ies) are being sequestered. The PSP OIS member will contact the Major Crimes detectives that are present with the involved department member(s). The PSP OIS member will, in coordination with the Major Crimes detectives, arrange to speak with the involved member(s) as soon as practical. After contacting the involved department member(s) and providing them support, the PSP OIS member will contact the department psychologist by telephone and provide a verbal report of the meeting. The PSP OIS member will then prepare a follow up email regarding the contact and send it to the department psychologist and the PSP Captain. The email will include a phone number for the involved member(s) and schedule a debriefing of the incident.

(e) Care should be taken to preserve the integrity of any physical evidence present on the deputy's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Detectives shall make reasonable accommodations to the deputy's physical and emotional needs (Government Code § 3303(d)).

304.5.7 NOTIFICATION TO DEPARTMENT OF JUSTICE

The California Department of Justice (DOJ) is required to investigate an officer-involved shooting resulting in the death of an unarmed civilian. The Major Crimes Captain or their designee should promptly notify the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian, including where it is undetermined if the civilian was unarmed.

For purposes of notification, "unarmed civilian" means anyone who is not in possession of a deadly weapon (Government Code § 12525.3).

304.5.8 PRE-INTERVIEW SCENE WALK-THROUGHS

Involved officers may participate in a walk-through either inside or outside of the scene. The information provided and the questions asked during the walk-through should be limited to

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directions of travel, locations and positions where force was applied, and where physical evidence may be located. Involved officers will not be questioned about their perceptions, intentions, or state of mind during the pre-interview walk-through.

304.6 THE SHOOTING OR CRITICAL INCIDENT CRIMINAL INVESTIGATION

Once notified of an officer-involved shooting or critical incident, it shall be the responsibility of the Major Crimes captain to assign appropriate detective personnel to handle the investigation of related crimes. Detectives will be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

It shall be the policy of this department to notify the District Attorney's Office of any officer-involved shooting involving injury or death.

Detective personnel from this department may be assigned to partner with investigators from the District Attorney's Office so as to not duplicate efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators will be given the next opportunity to interview involved deputies in order to provide them with an opportunity to give a voluntary statement. The following shall be considered for the involved deputy:

(a) Supervisors and Professional Standards personnel should not participate directly in any voluntary interview of deputies. This will not prohibit such personnel from monitoring such interviews or indirectly providing areas for inquiry.

(b) If requested, any involved deputy will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney, prior to speaking with criminal investigators. However, in order to maintain the integrity of each individual deputy's statement, involved deputies shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(c) Any voluntary statement provided by the deputy(s) will be made available for inclusion in the administrative or other related investigations.

(d) If a member declines to give a voluntary statement, Professional Standards investigators shall compel an administrative statement.

(e) All related departmental reports except administrative and/or privileged reports will be forwarded to the designated detective supervisor for approval.

    1. Absent consent from the involved deputy or as required by law, no administratively compelled statement(s) will be provided to any criminal investigators.

304.6.1 REPORTS BY INVOLVED OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved deputies to provide sufficient information

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for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved deputy may write the report, it is generally recommended that such reports be completed by assigned investigators who should interview involved deputies as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved deputies should focus on evidence to establish the elements of criminal activities by involved suspects. Care should be taken not to duplicate information provided by involved deputies in other reports.

Nothing in this section shall be construed to deprive an involved deputy of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures, but should also be included for reference in the investigation of the officer-involved shooting or critical incident.

304.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

(a) Identification of all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect’s known family and associates to obtain any available and untainted background information about the suspect’s activities and state of mind prior to the incident.

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304.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or a critical incident, this department will conduct an internal administrative investigation to determine conformance with department policy. This investigation will be conducted under the supervision of the Professional Standards Bureau and will be considered a confidential peace officer personnel file.

(a) Any deputy involved in a shooting or critical incident shall not be administratively compelled to provide a blood sample for alcohol/drug screening unless there is reasonable suspicion to believe the deputy may be under the influence of a drug or alcohol. Absent consent from the deputy, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any deputy has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved deputy.

1. If a further interview of the deputy is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved deputy shall be provided with a copy of his or her prior statement before proceeding with any subsequent interview(s) (Government Code § 3303(g))

(c) In the event that an involved deputy has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the deputy'(s) physical and psychological needs have been addressed before commencing the interview.

2. If requested, the deputy shall have the opportunity to select an uninvolved representative to be present during the interview (Government Code § 3303(i)) However, in order to maintain the integrity of each individual [officer's/deputy's] statement, involved deputies shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

3. Administrative interview(s) should be recorded by the investigator (the deputy may also record the interview) (Government Code § 3303(g)).

4. The deputy shall be informed of all constitutional *Miranda* rights (Government Code § 3303(h)) and, assuming no voluntary waiver, will then be given an administrative order to provide full and truthful answers to all questions (Government Code § 3303(e)). The deputy shall be informed, however, that the interview will be for administrative purposes only and that the statement cannot be used criminally (The *Lybarger* or *Garrity* admonishment).

5. The administrative interview shall be considered part of the deputy's confidential personnel file.

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6. Professional Standards shall compile all relevant information and reports necessary for the department to determine compliance with applicable policies.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

304.8 AUDIO AND VIDEO RECORDINGS

Deputies involved in an incident and their representatives or attorneys should be permitted to review relevant video or audio recordings depicting their perspective or actions prior to providing a recorded statement or completing reports.

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CRITICAL INCIDENTS, POST PROCEDURE

305.1 PURPOSE AND SCOPE

To establish guidelines to assist on-duty members in coping with stress responses inherent in critical incidents.

305.1.1 PROCEDURES

(a) When a Sheriff's Office member's actions while on-duty result in death or critical injury to another person:

1. The Watch Commander will contact the Peer Support OIS member who will respond to the location. The PSP OIS member will, in coordination with Major Crimes detectives, arrange to speak with the involved member(s). The PSP OIS member will contact the department psychologist and schedule a debriefing of the incident.
2. The Staff Psychologist will contact the involved member(s) for counseling and assessment regarding the psychological impact of the incident.

(b) A Support Services Commander, or Internal Affairs Captain, shall have the authority reassign the member to their home. The assignment to home shall not restrict the members ability to come and go from their home freely. The involved member(s) shall be referred for a mandatory Stress Management Consultation to the Psychological Services provider as selected by the Sheriff's Office.

(c) The Staff Psychologist or Psychological Services provider may recommend any additional time for the member to be assigned to home as deemed necessary for each involved member.

(d) The Support Services Assistant Sheriff will determine the appropriateness and duration of extended mandatory assignment to home, based upon the findings of the preliminary investigation and recommendation of the Staff Psychologist.

(e) The member(s), upon being assigned to home, shall maintain contact with the Internal Affairs Captain, as directed, and may participate in follow-up contacts with the psychologist. Mandatory assignment to home and Stress Management Consultation are intended for the benefit of the member(s) and shall be no indication of fault or responsibility, nor shall it be related to the criminal investigation of the incident. All contact between the employee and psychologist or Psychological Services Provider will be confidential.

(f) When an on-duty member's life has been in critical danger or the member has witnessed an unusually traumatic event:

1. The member's supervisor shall meet with the member immediately following the incident and assess the need for counseling and/or other appropriate action. The supervisor will take one of the following actions:
    (a) Refer the employee to the appropriate Psychological Services provider for further counseling.

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(b) Recommend to the Internal Affairs Captain that the member be assigned to home pending counseling.

(c) Sheriff's Office supervisors have the authority and responsibility to notify the Staff Psychologist, via the chain-of-command, regarding any member who exhibits apparent stress-related symptoms that adversely affects job performance.

(d) Many incidents that occur may be deemed significant enough to be used as a training resource.

NOTE: None of the above restricts the member from contacting their own counselor or from utilizing other county or Sheriff's Office services such as the Chaplain Corps or the Employee Assistance Program.

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Firearms and Qualification

306.1 PURPOSE AND SCOPE

This policy establishes procedures for the acquisition, use, and documentation of training in the use of firearms. The Sheriff or his or her designee shall approve all department firearms before they are acquired and utilized by any member of this department.

306.2 AUTHORIZED WEAPONS

No firearms will be carried that have not been thoroughly inspected by the Rangemaster. Except in an emergency, or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that weapon.

All other weapons, including but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by the department policy, may not be carried by personnel in the performance of their official duty without written authorization of the employee's Division Commander. This exclusion does not apply to the carrying of a single folding pocket knife that is not otherwise prohibited by law.

The following firearms are approved for use by deputies of this department:

306.2.1 DUTY FIREARMS

The department issued handgun is the Sig Sauer P320 striker fired handgun in 9 mm. Any optional duty firearm carried on duty must meet the same criteria as the requirements set forth for the department issued handgun or be a Sig Sauer double action/single action or double action only semiautomatic handgun chambered in 9 mm, .40 caliber, or.45 A.C.P.

306.2.2 OPTIONAL FIREARMS AND ACCESSORIES

Deputies desiring to carry an optional duty firearm, back-up or off-duty firearm are subject to the following restrictions:

(a) Any optional "duty" firearm must conform to the same standards as duty firearms and be of 9mm,.40 caliber or 45 A.C.P.

(b) The purchase of the firearm and accessories shall be the responsibility of the deputy.

(c) The firearm shall be subject to inspection whenever deemed necessary.

(d) The department shall provide approved ammunition for optional duty firearms.

(e) Personnel shall qualify with the secondary firearm under range supervision. Deputies must demonstrate their proficiency, safe handling and serviceability of the firearm.

(f) Personnel shall provide written notice of the make, model, color, serial number, and caliber of all optional duty, back-up and off-duty firearms to the Rangemaster.

(g) The firearm shall be registered to the deputy through dealer registration or the Sheriff's Records Bureau.

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306.2.3 AUTHORIZED BACK-UP / OFF-DUTY FIREARM

The carrying of firearms by sworn deputies as a back-up or while off duty is permitted by the Sheriff, but may be rescinded should circumstances dictate (e.g., administrative leave). Sworn deputies who choose to carry a firearm a back-up or while off duty with authority as a peace officer will be required to meet the following guidelines:

(a) The firearm shall be of good quality and workmanship (e.g., Colt, Smith & Wesson, Browning, Sig-Sauer, etc.). Generally, the choice of caliber and manufacturer is left to the deputy.

(b) Only one backup firearm may be carried at a time.

(c) The purchase of the firearm and ammunition shall be the responsibility of the deputy.

(d) The firearm shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.

(e) It will be the responsibility of the deputy to submit the firearm to the Rangemaster or Armorer for inspection and approval prior to being carried. The deputy must demonstrate proficiency in the handling and use of the firearm. The firearm shall be subject to inspection whenever deemed necessary. The deputy will successfully qualify with the firearm prior to it being carried.

(f) A complete description of the firearm shall be contained on the qualification record.

(g) Any member may receive authorization for more than one off-duty / back-up firearm, as long as the deputy meets all the requirements set forth in this policy for each firearm used.

(h) When armed, whether on or off duty, officers shall carry their badge and department identification.

306.2.4 AMMUNITION

Member shall carry only department issued ammunition in firearms used on duty, excluding backup firearms. Members shall be issued new duty ammunition by the Rangemaster biennially. Any other ammunition needs for unserviceable or depleted ammunition will be handled by the Rangemaster and the ammunition issued as needed.

Deputies carrying personally owned authorized firearms of a caliber differing from department issued firearms shall be responsible for maintaining their own ammunition.

306.2.5 ALCOHOL AND DRUGS

Firearms shall not be carried by any deputy who has consumed an amount of an alcoholic beverage or taken any drug that would tend to adversely affect the deputy's senses or judgment.

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306.2.6 FIREARM FLASHLIGHT SYSTEMS/LASER SIGHTS

Firearm flashlight systems and/or laser sights may only be installed on a firearm carried on or off-duty after they have been examined and approved by the firearms staff. The deputy must qualify and demonstrate proficiency prior to use.

(a) Any approved lighting system and/or laser sight shall only be installed in strict accordance with manufacturer specifications.

(b) Upon approval the deputy shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a deputy may only activate a laser sight when the deputy would otherwise be justified in pointing a firearm at an individual or other authorized target.

306.3 SAFE HANDLING OF FIREARMS

The intent of this policy is to promote proper firearm safety on and off duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

306.3.1 SAFETY CONSIDERATIONS

(a) Deputies shall not unnecessarily display or handle any firearm.

(b) Deputies shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster.

(c) Handguns, shotguns and rifles shall be loaded and unloaded outside of the building and/or vehicle and pointed in a safe direction. "Clearing barrels" should be utilized when available.

(d) Deputies shall not place or store any firearm or other weapon on department premises except where the place of storage is locked.

(e) Any firearm authorized by the department to be carried on or off duty that is found by the deputy to be malfunctioning or needing service shall not be carried and shall be promptly presented to the department or Rangemaster for inspection. Any firearm determined to be in need of service or repair during an inspection by the department Rangemaster, will be immediately removed from service. If the firearm is the deputy's primary duty firearm, a replacement firearm will be issued to the officer until the duty firearm is again rendered serviceable.

306.3.2 STORAGE OF FIREARMS AT HOME

Deputies shall ensure that all firearms are locked and secured while in their homes, vehicles, or any other area under their control in a manner that will keep them inaccessible to children and irresponsible adults.

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Deputies shall be aware that negligent storage of a firearm could result in criminal prosecution under Penal Code § 25100.

306.4 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container which is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

If the vehicle does not have a trunk or a locked container, then the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock or other similar locking device (Penal Code § 25140).

Deputies are exempt from this requirement during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

306.5 FIREARMS QUALIFICATIONS

REQUIREMENT

(a) All sworn members of the Sheriff's Office, regardless of rank, shall qualify with their duty handgun and a shotgun once during each two-month shooting period. Those members who have completed the mandated 24-hour training and carry a rifle on duty are also required to qualify with their rifle once during each two-month shooting period. An additional qualification shall be completed in the Force Options Simulator (FOS) at least once every 24 months in accordance with POST Perishable Skills Mandates. A modified FOS course may be utilized for captains and above. Qualification periods are January-February, March-April, May-June, July-August, September-October, and November-December.

(b) If the deputy carry a backup weapon, the deputy shall qualify with the backup during each regular qualification. When qualifying with a backup weapon, deputies shall draw the weapon from the same method of carry they use while on duty.

(c) To facilitate proficiency objectives, the Department may conduct different types of training during any given qualification period. Occasionally, a technical or informational session may be planned for a qualification period.

(d) The Firearms Staff shall approve all courses of fire to be performed on the range.

SHOOTING MEDALS

(a) Shooting medals will be issued as follows:

    (a) Marksman: 70 - 79, Sharpshooter: 80 - 90, Expert: 91 - 96, Master: 97 - 100

(b) Deputies will be awarded a specific medal based on the average score of four (4) consecutive qualification periods in the twelve months immediately preceding the date the medal is requested. FOS scenarios are not included in this calculation. Deputies graduating from the Training Center will be given a

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shooting badge equivalent to the final qualification score during the Training Center program, not to exceed the level of Expert. Lateral transfers shall be given a marksman shooting medal upon initial qualification.

(c) If deputies qualify more than once during a qualification period. the highest score obtained during that qualification period will be used towards awarding the medal.

306.5.1 NON QUALIFICATION

If any deputy is unable to qualify for any reason, including injury, illness, duty status, or scheduling conflict, that deputy shall notify his or her immediate supervisor in writing prior to the end of the required shooting period.

Members who repeatedly fail to qualify will be relieved from field assignment and appropriate disciplinary action may follow.

Sworn members will have up to three attempts to qualify. Failure to qualify will result in the following:

(a) Remedial training will be given immediately by the firearms staff.

(b) Remedial training will be followed by a minimum standards test.

(c) Failure to pass the minimum standards test will result in notification to the Professional Standards Commander by the Training Center Captain or watch commander. The sworn member shall be removed from field duty and temporarily re-assigned.

(d) Remedial training will be scheduled by the firearms staff for a period of two weeks. Remedial training will consist of one on one instruction as needed to enhance their skills and proficiency. If the sworn member is unable to pass the minimum standards test after remedial training, they shall be deemed unfit for duty and subject to termination.

(e) The sworn member will be returned to field duty upon passing the minimum standard test. The member shall be required to qualify monthly until they demonstrate continued proficiency for six months.

(f) Any sworn member may be assigned to attend the handgun update course by the range staff.

COMPLIANCE

An unexcused failure to comply with the range requirement will result in disciplinary action. A letter of reprimand will be placed into the deputy's personnel file upon the first failure to comply.

Upon a second failure to comply within a twelve-month period from occurrence date, a one-day suspension will be imposed, in addition to a mandatory qualification. Deputies who fail to comply with range requirements within twelve months of receiving a suspension for a violation of this policy, will be subject to progressive discipline, including removal from field duty and suspension of the privilege to carry a weapon off-duty.

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Captains and above will receive discipline in accordance with their respective Memorandum of Agreement or County policy.

Deputies shall not be exempted from the requirements of this policy other than for medical reasons, or those on leaves of absence. Special circumstances preventing deputies from complying with this policy must be explained by a memorandum addressed to the respective bureau commander.

306.6 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the deputy reasonably believes that they appear necessary, effective and reasonably safe.

306.7 DESTRUCTION OF ANIMALS

Deputies are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances in which deputies have sufficient advance notice that a potentially dangerous animal may be encountered, deputies should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any deputy from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.7.1 INJURED ANIMALS

With the approval of a supervisor, a deputy may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code § 597.1(b)). Injured dogs and cats found without their owners cannot be destroyed under the law and every reasonable effort should be taken to have the dog or cat transported to an appropriate veterinary facility (via County Animal Services or other means) for determination of whether it should be treated or humanely destroyed.

306.8 REPORT OF FIREARM DISCHARGE

This policy applies to any department member who unintentionally discharges a firearm, not in the presence of a person suspected of committing a crime, under the following circumstances:

(a) All incidents where a department member is on duty (including off duty hours where the member is acting in the capacity of a peace officer) regardless of the type of firearm, including shotguns and less lethal bean bag weapons.

(b) All incidents occurring on county property or at any department sanctioned event, regardless of the type of firearm.

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(c) All incidents occurring off-duty and the firearm involved is issued by the department, or approved for use on-duty or off-duty by the department, including optional on-duty and back-up firearms.

(d) The intent of this policy is to identify incidents where a member of this department discharges a firearm due to negligent handling or faulty equipment, not in the presence of a suspect.

This policy does not apply to the unintentional discharge of a firearm that takes place on the firing line at a range or other training facility when the firearm is pointed in a safe direction.

Anytime a firearm is unintentionally discharged by a department member under the conditions described above, the following shall occur:

(a) The member shall immediately determine if anyone was injured and, if necessary, render aid and/or appropriate emergency medical services.

(b) The member shall immediately notify a supervisor. As soon as practical, the member shall write a memorandum detailing the event and submit it to the supervisor.

(c) As soon as practical, the supervisor shall obtain and submit the involved firearm, any other item which may have contributed to the discharge (such as a holster, etc.), and a copy of all related documentation to the Training Center Captain.

(d) The Training Center Captain shall arrange for replacement of the firearm, or related equipment, as needed.

(e) The Training Center Captain will be responsible for notifying the Professional Standards Commander.

(f) The Professional Standards Commander is responsible for notifying the Support Services Assistant Sheriff.

(g) The Training Bureau shall arrange for a qualified department armorer to conduct an inspection of the firearm to determine if a mechanical malfunction could have been responsible for, or contributed to, the discharge. The person conducting the inspection shall write a memorandum describing:

1. The mechanical condition of the firearm and any related equipment.
2. The apparent cause(s) of the discharge and any recommendations regarding the firearm or equipment.
3. Any needed training of the involved member.

(h) The department armorer shall forward his or her findings to the Training Center Captain, who will forward it to the Firearms Safety Committee Chair for review with comments. As needed, the Firearms Safety Committee Chair shall seek the expertise of a qualified expert should the firearm or other factors exceed the capabilities of the department armorer.

(i) The Firearms Safety Committee Chair shall forward the committee's findings to the Professional Standards Commander for disposition.

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(j) Members are considered negligent if their actions in any way contributed to the discharge, or the discharge occurred during the course of some prohibited or unsafe behavior such as loading or unloading the firearm in an unauthorized area.

(k) When a negligent discharge occurs, the responsible party shall be required to participate in remedial training and may be subject to progressive discipline. The appropriate level of training and discipline shall be determined on a case-by-case basis by the Professional Standards Commander after an appropriate investigation is conducted.

(l) After a determination has been made regarding a disposition of the incident, the Training Center shall contact the responsible member and schedule remedial training if the discharge was due to negligent handling of the firearm. The member must successfully complete the remediation training that shall be documented by the firearms staff member conducting the training.

(m) A memo detailing the training given and the member's ability to safely manipulate and operate the firearm at the completion of training shall be maintained in the member's training file. Successful completion of remedial training shall not preclude the imposition of further sanctions as provided in section 'k' above.

306.9 FIREARMS COMMITTEE

The Firearms Committee reviews policies and makes recommendations on issues related to firearms, firearms instruction, use of force equipment, and safety including, but not limited to, design, evaluation and documentation of instruction (both basic and in-service).

RESPONSIBILITIES

A. Review of incidents involving the intentional discharge of a firearm while on duty, which occurs at a location other than a Sheriff's range facility.

B. Review of any non-intentional discharge of a firearm, whether on or off duty, which occurs at a location other than a range, shooting or hunting facility.

C. Review of any non-intentional discharge of a firearm, which results in any personal injury or property damage.

    1. The above reviews shall be conducted by the Firearms Committee upon endorsement by the Support Services Assistant Sheriff or designee, either during the internal affairs/administrative investigation or after the conclusion of such investigation.

D. Review and recommend modifications in department firearms equipment inclusive of weapons, ammunition, holsters, etc.

E. Review and recommend modifications to the Sheriff's range facility with respect to layout and construction.

F. Development, evaluation, and oversight of firearms training inclusive of basic academy, in-service, and bi-monthly qualification. These functions shall be conducted in cooperation with the Training Center Captain.

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G. Review of any unintentional discharge of a firearm by an employee of another law enforcement agency resulting in injury while utilizing a Sheriff's range facility

PROCEDURE FOR EQUIPMENT EVALUATION

(a) No firearms, holsters, ammunition or related equipment shall be used by deputies unless approved for use by the department.

(b) All requests for evaluation shall be sent to the Training Center Captain for submission to the Firearms Committee. All recommendations will be forwarded to the Sheriff or designee for approval.

(c) Any equipment approved by the Firearms Committee will be documented on a memorandum and posted on the Intranet, "Approved Equipment."

306.10 MAINTENANCE AND REPAIR

Firearms carried on duty shall be maintained in a clean, serviceable condition. Since the use of personally owned weapons is at the option of the individual deputy, that deputy will be responsible for the furnishing, maintenance and repair of such weapon.

306.10.1 REPAIR OR MODIFICATIONS OF DUTY WEAPONS

The department armorer at the Sheriff's Range shall be the only person authorized to repair or modify any department-owned weapon. All repairs and/or modifications of department issued weapons not performed by the department armorer must be approved in advance by the armorer and accomplished by a department approved gunsmith.

Any repairs or modifications to the deputy’s personally owned weapon shall be done at his or her expense and must be approved by the Rangemaster.

306.11 SHOTGUN

This policy is to standardize the manner in which the shotgun is to be utilized and carried. Sworn personnel working patrol are required to carry a shotgun while on duty.

Exception: Sworn personnel who are issued a patrol rifle may carry their patrol rifle in place of a shotgun while working patrol. Nothing in this policy precludes sworn personnel who are issued a patrol rifle from carrying a shotgun and their patrol rifle while working patrol. Sworn personnel who opt to carry their patrol rifle instead of the shotgun must still qualify with the shotgun bi-monthly.

306.11.1 AMMUNITION

Only department issued ammunition is approved for use in the shotgun.

306.11.2 SERVICE CHECKS

Service (B.E.E.F.S.) checks will be conducted at the beginning of each shift. B.E.E.F.S. checks consist of checking the following: Barrel, Extractor, Ejector, Firing Pin, and Safety.

306.11.3 CRUISER CARRY

When not deployed, shotguns shall be in "cruiser carry" condition and properly secured in a locking weapons rack or in the trunk of a vehicle without a locking weapons rack.

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"Cruiser Carry"

- Safety in the "On" position
- Chamber empty
- The trigger has been depressed so the hammer is no longer in the cocked position
- Four rounds of department issued ammunition loaded in the magazine tube

306.11.4 CARRYING ADDITIONAL AMMUNITION
Additional shotgun shells will be carried only in the department provided carrying devices located on the shotgun.

306.11.5 QUALIFICATION
All deputies are required to qualify with a shotgun during each bi-monthly qualification period. Those patrol deputies that qualify while on duty shall qualify with the shotgun from their patrol vehicle. Those deputies that are issued a shotgun are required to qualify with their issued shotgun.

306.11.6 CLEANING
The shotgun shall be cleaned after each qualification. Supervisors shall be responsible for ensuring the shotguns are inspected, clean and in good working order.

306.11.7 TACTICAL RIFLE (DEPARTMENT ISSUED)
SPECIFICATIONS - Only weapons and ammunition that meet agency authorized specifications, approved by the firearms committee, may be utilized by deputies. The authorized patrol rifle issued by the department is the Colt M-16 A1, Colt AR-15, or similar clone of varying manufacture and chambered in.223 or 5.56X45mm. Refer to the Approved Firearms Equipment List on the Sheriff's Intranet for specifics.

AUTHORIZATION FORM - A tactical rifle authorization form must be completed and submitted per this policy prior to a member carrying a department issued tactical rifle on duty.

https://sheriffintranet/wp-content/uploads/2018/08/PM_Tactical_Authorization_Form.pdf

Optics are approved for use with department approved tactical rifles. The optics must be of quality manufacture (i.e. Leupold, Aimpoint, Trijicon, Eotech, etc.). Optics utilizing magnification may not exceed 4X magnification.

A privately purchased tactical rifle requires a separate process. (Refer to section 306.11.14 below.)

306.11.8 INSPECTION & RIFLE MAINTENANCE
The initial inspection of tactical rifles, whether department issued or privately purchased, will occur at the beginning of the mandatory POST 24-hour Tactical Rifle Course.

It will be the responsibility of the individual deputy to care for and maintain all issued equipment. The deputy's weapon will be cleaned after every range qualification or firing of the weapon. Deputies are only authorized to take the weapon apart to the condition known as "field stripping" for cleaning; all other maintenance or modifications shall only be performed by department armorers.

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306.11.9 TRAINING

Deputies shall not carry or utilize the tactical rifle unless they have successfully completed departmental training. This training shall consist of an initial 24-hour POST approved tactical rifle-training program. Deputies shall thereafter be required to successfully complete a bi-monthly qualification. Any deputy who fails to qualify or who fails to successfully complete department sanctioned training/qualification sessions will no longer be authorized to carry the patrol rifle without successfully completing the tactical rifle update course.

306.11.10 WEAPONS QUALIFICATION

(a) If a deputy fails to demonstrate competency with the tactical rifle by not obtaining a minimum qualifying score at the range during the two-month qualification period, the following protocol shall occur:

1. The Rangemaster will notify the deputy and the information will be documented on a Firearms Qualification Record Form.
2. The deputy will be given a copy of the Firearms Qualification Record Form.
3. If the department issued the tactical rifle, the rifle will be immediately relinquished at the range until the deputy receives additional training.
4. If the deputy owns the tactical rifle, the deputy will not be authorized to carry the weapon while on duty.
5. The Training Center's in-service sergeant, or designee, will be notified of the deputy's failure and will notify the deputy when the next available tactical rifle update course is scheduled.
6. Upon the successful completion of an 8-hour tactical rifle update course, the member may be authorized to carry a department or personal tactical rifle as prescribed in this policy.

(b) An unexcused failure to comply with the tactical rifle range requirement will result in the member not being allowed to carry a tactical rifle while on duty.

1. Upon the successful range qualification, the member may be authorized to carry a department or personal tactical rifle as prescribed in this policy.
2. The Training Center in-service sergeant or his/her designee will be notified of the failure and the member will not be allowed to carry the rifle until the member has qualified with the tactical rifle.
3. If the member owns the tactical rifle, either their commander or designee will order them not to carry the weapon while on duty.
4. If the tactical rifle is department issued, the member will be ordered to return the tactical rifle into the range by their commander or designee.
5. Members shall not be exempted from the requirements of this order other than for medical reasons, and those on leaves of absence. Special circumstances preventing members from complying with this order must be explained by memorandum addressed to the respective bureau commander. Members who

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are excused due to medical reasons or leaves of absence, must still qualify with the weapon prior to carrying the weapon on duty.

6. The Professional Standards Commander will send a letter to the member's commander indicating the member is not authorized to carry a tactical rifle while on duty. The member's commander or designee will serve the letter to the member.

306.11.11 DISCHARGE OF THE TACTICAL RIFLE

The discharge of the tactical rifle shall be governed by the Department's Deadly Force Policy (Chapter 3).

306.11.12 CRUISER CARRY

After completing a service or function check, the weapon shall be stored and carried in the following condition:

A. Chamber empty with the safety on;

B. Magazine, downloaded two rounds from maximum capacity, locked into the magazine well

C. Spare magazine stored in the attached magazine pouch

D. The dust cover closed.

306.11.13 CARRY

(a) Tactical rifles and all the other issued equipment are to be contained and stored in the issued cases and shall be kept in the trunks of the vehicles during shifts unless the vehicle is outfitted with a department-approved rifle lock installed by Fleet Services. During off-duty hours the weapons shall be removed from patrol vehicles and stored in a safe place, such as a locker at the station, a gun safe at home, or another secure location at work.

(b) Deputies assigned take-home vehicles may keep the tactical rifle inside the locked trunk. Vehicles without trunks can have a lockable box or locking device installed. The tactical rifle shall be removed when the vehicle is serviced.

306.11.14 PRIVATELY PURCHASED TACTICAL RIFLE

Non-probationary sworn personnel are eligible to privately purchase one (1) California Department of Justice "On-List assault rifle" (a banned weapon except for authorized law enforcement and military usage) for the purposes of carrying the tactical rifle in the field while on-duty. Deputies currently in non-field assignments, who receive authorization, may also purchase one On-List assault rifle with the understanding that they shall comply with all other provisions of this policy (e.g., attending the Tactical Rifle Course and qualifying with the rifle bi-monthly).

These requirements must be followed the entire time a sworn member of this department possesses a California Department of Justice "On-List assault rifle. For example, if a deputy

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decides that he/she no longer wants to carry the rifle in the field and/or qualify with it bi-monthly, the California DOJ registration will no longer be sanctioned by the department. At that point, the deputy shall relinquish the weapon through sale, destruction, or modification of the rifle to civilian legal status. When this occurs, the deputy shall unregister the weapon with California DOJ and provide proof to Sheriff's Human Resources (Professional Standards).

In order to privately purchase an "On-List" assault rifle, two department forms are required, the Gun Waiver Application Form: (https://sheriffintranet/wp-content/uploads/2018/08/HR_Gun_Waiver_Letter_Application_Form.pdf) and the Assault Rifle Addendum Form:(https://sheriffintranet/wp-content/uploads/2018/08/HR_Assault_Rifle_Addendum.pdf) Both forms must be sent to Sheriff's Administration (Support Services/Professional Standards) for processing. The Professional Standards Captain shall review the application to ensure that there are no performance or conduct issues that may preclude the deputy from possessing a department authorized, privately owned assault rifle.

Upon approval, the Gun Waiver Letter Application Form will cause the issuance of a "gun letter," signed by the Sheriff, that authorizes the purchase of one "On-List" assault rifle and high capacity magazines as well as authorizing the waiver of any waiting period. The deputy shall register the rifle with the California Department of Justice (Form FD 023) no later than 90 days after date of acquisition.

The Assault Rifle Addendum Form specifies the various departmental and legal requirements the deputy must adhere to as a result of possessing a privately owned assault rifle. **This includes the following: attending the 24-hour POST Tactical Rifle Course as soon as practicable after obtaining the rifle, qualifying with the rifle at every bi-monthly shooting period after completing the course, and carrying the rifle in the field any time the deputy is in a field assignment.**

An inspection of the rifle is required prior to qualification and deployment. This inspection shall occur at the beginning of the POST 24-hour Tactical Rifle Course to ensure the rifle complies with department specifications. Specific requirements for the rifle are as follows:

(a) The department armorer must inspect the personally owned rifle. The rifle must be configured in the same manner as the department tactical rifle. Approved rifles are Colt A-2 or A-3, A-4 model, an equivalent clone of another manufacturer, or the Sigsauer SIG516, gas-piston, patrol rifle. The rifle barrel length shall be 16 inches in length and all weapon parts will be to military specifications, except for the SIG 516.

(b) The rifle shall be equipped with a sling, magazine pouch and tactical light. A carrying case and cleaning gear is also required.

(c) All rifles shall have a reserve open sight for backup use in the event of an optic failure.

(d) Rifles will maintain the same color scheme as department issued patrol rifles, which is standard black. There will no additional modifications, personalizations, or decorations allowed to the rifle or any magazine or accessory, unless first approved by the firearms

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committee, nor will patches, stickers, or other non essential items be affixed to the carrying cases or equipment.

(e) The deputy is responsible for the cost, care and maintenance of the personally owned rifle. For Additional approved equipment for the tactical rifle, refer to the "Firearms List" icon on the Sheriff's Intranet: (https://sheriffintranet/wp-content/uploads/2018/08/Approved_Firearms_Equipment_List.pdf)

306.11.15 EXEMPTION

This policy does not apply to equipment carried by or utilized by specialized units of the department such as SWAT or TRT.

306.12 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Deputies wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.

(b) Deputies must carry their Department identification card which must contain a full-face picture, the deputy's signature and the signature of the Sheriff or the official seal of the Department and must present this identification to airline officials when requested. The deputy should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).

(c) The Ventura County Sheriff's Office must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the deputy's travel. If approved, TSA will send the Ventura County Sheriff's Office an NLETS message containing a unique alphanumeric identifier. The deputy must present the message to airport personnel as authorization to travel while armed on the day of travel.

(d) An official letter signed by the Sheriff authorizing armed travel must accompany the deputy. The letter must outline the deputy's need to fly armed, must detail his/her itinerary, and should include that the deputy has completed the mandatory TSA training for law enforcement officer flying while armed.

(e) Deputies must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the deputy's responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier's check-in counter.

(g) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The deputies must keep the firearm concealed on his/her person at all times.

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Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(h) Deputies should not surrender their firearm but should try to resolve any problems through the flight captain, ground security manager or other management representative of the air carrier.

(i) Deputies shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.13 CARRYING FIREARMS OUT OF STATE

Qualified active deputies and qualified retired deputies (see Retiree Concealed Firearms Policy, Chapter 2) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC 926B and C):

(a) The deputy shall carry his/her Department identification card whenever carrying such weapon.

(b) Qualified retired deputies shall also carry certification of having met firearms qualification within the past 12 months.

(c) The deputy is not the subject of any current disciplinary action.

(d) The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(e) The deputy will remain subject to this and all other Department policies (including qualifying and training).

Deputies are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Visiting active and retired peace officers from other states are subject to all requirements set forth in 18 USC 926B and C.

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Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved deputies, the public, and fleeing suspects (Vehicle Code § 17004.7).

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking - A preventive maneuver where emergency vehicles are strategically positioned to prevent a suspect from moving their vehicle, usually before a pursuit starts or at low speeds.

Boxing-in - A low-speed tactic designed to stop a fleeing vehicle by surrounding it with emergency vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed tactic designed to apply lateral pressure to the rear quarter panel of a fleeing vehicle, causing it to spin out, stall, and come to a stop (also known as a Precision Immobilization Technique).

Ramming - The deliberate act of impacting a fleeing vehicle with another vehicle to functionally damage or otherwise force the fleeing vehicle to stop.

Roadblock - A tactic designed to stop a fleeing vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the fleeing vehicle.

Tire deflation device - A device designed to be placed on the roadway, or placed near vehicle tires, and puncture the tires of a fleeing or stationary vehicle, sometimes referred to as spike strips or piranha devices.

Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to a deputy's signal to stop.

307.2 POLICY

It is the policy of this department to balance the need to apprehend a fleeing suspect with the risks associated with vehicle pursuits.

307.3 INITIATING A PURSUIT

Deputies who have received appropriate training are authorized to initiate a vehicle pursuit when the need to apprehend a fleeing suspect clearly outweighs the risks a vehicle pursuit poses for deputies and the public.

When balancing the risk of a pursuit with the need to apprehend the suspect, deputies shall consider:

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(a) The seriousness of the known or reasonably suspected crime committed by the suspect and the threat to the safety of the public if the suspect remains at large.

(b) Whether the identity of the suspect is known with enough certainty to enable apprehension at a later time.

(c) The speed of the vehicles relative to the conditions of the area, such as the population density, amount of vehicular and pedestrian traffic (e.g., school zones), time of day, road conditions, environmental conditions (e.g., hills, curves, mountains), and weather conditions.

(d) The pursuing deputy's driving capabilities, familiarity with the area, and quality of radio communications with the dispatcher/supervisor.

(e) The nature of the pursuing unit (e.g., marked vs. unmarked) and its speed and performance capabilities in relation to the fleeing vehicle (e.g., performance motorcycle).

(f) Whether there are other persons in or on the fleeing vehicle and their relationship to the situation (e.g., passengers, co-offenders, hostages).

(g) Whether the pursuing unit is carrying passengers other than on-duty sheriff's deputies. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist.

(h) The availability of other resources such as air support or vehicle locator/deactivation technology.

307.4 PURSUIT UNITS

Vehicle pursuits should be limited to three sheriff's department emergency vehicles (two pursuit units and the supervisor vehicle). However, a deputy or supervisor may request that additional units join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of deputies involved may be insufficient to safely arrest the number of suspects.

307.4.1 EMERGENCY EQUIPMENT

Vehicle pursuits shall only be conducted using authorized sheriff's department vehicles that are equipped with emergency lighting and sirens as required by Vehicle Code § 21055. Each pursuit unit's emergency lights and sirens should remain activated throughout the unit's participation in the pursuit.

Deputies operating vehicles not equipped with emergency lights and siren are prohibited from pursuing a fleeing vehicle or joining a pursuit. Deputies in such vehicles may provide support to pursuing units when needed, but should operate the vehicle in compliance with all traffic laws and should discontinue such support immediately upon arrival of a sufficient number of authorized emergency vehicles or any air support.

307.4.2 MOTORCYCLES AND UNMARKED UNITS

When involved in a pursuit, sheriff's department motorcycles and unmarked vehicles should be replaced by marked four-wheel emergency vehicles as soon as practicable.

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307.4.3 PRIMARY UNIT

The initial pursuing deputy should be designated as the primary unit and will be responsible for the conduct of the pursuit unless that unit is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the deputy initiating the pursuit is the apprehension of the suspect without unreasonable danger to themself or others.

As soon as practicable, the primary unit should notify the Communications Center of the pursuit, request priority radio traffic, and provide appropriate information including:

(a) The location, direction of travel, and estimated speed of the pursuit.

(b) The description of the fleeing vehicle, including the license plate number, if known.

(c) The reason for the pursuit.

(d) A description of the fleeing vehicle's evasive driving behavior (e.g., rapid lane changes, no headlights, driving on the wrong side of the road).

(e) Known or suspected weapons, threat of force, violence, injuries, hostages, or other unusual hazards.

(f) The suspected number of occupants and their identities or descriptions.

(g) The weather, road, and traffic conditions.

(h) The need for any additional resources or equipment.

(i) The identities of other law enforcement agencies involved in the pursuit.

The primary unit is responsible for broadcasting the progress of the pursuit until a secondary or air unit joins the pursuit. Once an additional unit joins the pursuit, the primary unit should relinquish the responsibility of broadcasting the progress to the secondary or air unit unless circumstances reasonably indicate otherwise.

307.4.4 SECONDARY UNIT

The second deputy in the pursuit should be designated as the secondary unit and is responsible for:

(a) Notifying the Communications Center of their entry into the pursuit.

(b) Broadcasting the progress of the pursuit, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.

(c) Identifying the need for and requesting additional resources or equipment as appropriate.

(d) Serving as backup to the primary unit once the fleeing vehicle has been stopped.

307.4.5 AIR UNITS

When available, air unit assistance should be requested. The air unit should assume responsibility of broadcasting the pursuit once they have established visual content with the fleeing vehicle. Ground units should maintain operational control and consider whether the continued close proximity and/or involvement in the pursuit is warranted.

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The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide pursuing units with details of upcoming traffic congestion, road hazards, or other information pertinent to evaluating whether to continue the pursuit. If ground units are not within visual contact of the fleeing vehicle and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend termination.

307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires consideration of the same factors as initiating a pursuit. In addition, deputies involved in the pursuit should adhere to the following:

(a) Pursuing units should space themselves far enough from other involved vehicles to be able to see and avoid hazards and react safely to maneuvers by the fleeing vehicle.

(b) Pursuing units should exercise caution and slow down as necessary when proceeding through intersections.

(c) Pursuing units should not follow a fleeing vehicle driving against traffic (wrong way) and should instead:

1. Request assistance from available air support.
2. Maintain visual contact with the fleeing vehicle by paralleling it on the correct side of the roadway.
3. Request other units to observe exits available to the fleeing vehicle.

(d) Pursuing units should request that the Communications Center notify the California Highway Patrol (CHP) and/or another law enforcement agency if it appears that the pursuit may enter its jurisdiction.

(e) Pursuing units should not attempt to pass other pursuit units unless the situation indicates otherwise or they are requested to do so. Passing another pursuit unit should only be attempted with a clear understanding of the maneuver.

307.5.1 RULES OF THE ROAD

The speed of a vehicle pursuit is a factor that should be evaluated on a continuing basis by the deputy and supervisor. Evaluation of vehicle speeds should take into consideration public safety, officer safety, and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, deputies and supervisors should also consider these factors when determining the reasonableness of the speed of the pursuit:

(a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.

(b) Pursuit speeds have exceeded the driving ability of the deputy.

(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle, thus making its operation unsafe.

307.5.2 DEPUTIES NOT INVOLVED IN THE PURSUIT

Deputies not directly involved in the pursuit should stay alert to its progress and location and may proceed safely to intersections ahead of the pursuit to warn cross traffic. When clearing

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intersections along the pursuit path, deputies are authorized to use emergency equipment and should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or a suspect intentionally trying to ram the sheriff's department vehicle.

Other than clearing intersections along the pursuit path, uninvolved deputies should avoid operating under emergency conditions (emergency lights and siren) and should remain in their assigned areas unless directed otherwise by a supervisor.

When needed, non-pursuing deputies and deputies who have dropped out of the pursuit should respond to the pursuit termination point in a non-emergency manner, observing the rules of the road. Deputies should not parallel the pursuit route.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

The field supervisor of the deputy initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

(a) Immediately notifying the involved units and the dispatcher of supervisory presence and ascertaining all reasonably available information in order to continuously assess the situation and risk factors associated with the pursuit.

(b) Exercising management and control of the pursuit and, when appropriate, engaging in the pursuit to provide on-scene supervision.

(c) Confirming that no more pursuing units than required are involved in the pursuit.

(d) Directing that the pursuit be terminated if, in the supervisor's judgment, continuing the pursuit is not justified under the guidelines of this policy.

(e) Assessing the emotional state of the deputies involved and directing a deputy to disengage from the pursuit if it appears they are unable to control their emotions.

(f) Requesting additional assistance from air support, canines, or other resources, if available and appropriate.

(g) Verifying that the proper radio channel is being used.

(h) Confirming the Watch Commander has been notified of the pursuit.

(i) Overseeing the notification and/or coordination of outside agencies if the pursuit leaves or is likely to leave the jurisdiction of this department.

(j) Continuing the management and control of Ventura County Sheriff's Office units when a pursuit enters another jurisdiction.

(k) Preparing documentation of the pursuit and conducting a post-pursuit review, as required.

307.6.1 WATCH COMMANDER RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and

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requirements of this policy. The Watch Commander has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command.

307.7 THE COMMUNICATIONS CENTER

Radio communications during a pursuit should be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 THE COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

(a) Clearing the radio channel of non-emergency traffic.

(b) Coordinating pursuit communications of the involved units and personnel.

(c) Broadcasting pursuit updates as well as other pertinent information as necessary.

(d) Ensuring that a field supervisor is notified of the pursuit.

(e) Notifying and coordinating with other involved or affected agencies as practicable.

(f) Notifying the Watch Commander as soon as practicable.

(g) Assigning an incident number and logging all pursuit activities.

307.8 INTERJURISDICTIONAL CONSIDERATIONS

Unless entry into another jurisdiction is expected to be brief, the primary unit or supervisor should ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

307.8.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

When a pursuit enters another agency's jurisdiction, the primary unit or the supervisor should determine whether to request the other agency assume the pursuit, taking into consideration the distance traveled, familiarity with the area, and other pertinent facts.

Once another agency has agreed to assume the pursuit, pursuing units should relinquish control and discontinue participation unless the continued assistance of the Ventura County Sheriff's Office is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved deputies may, with supervisory approval, proceed to the termination point in order to provide information and assistance for the arrest of the suspect and reporting of the incident. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for department reports.

307.8.2 PURSUITS EXTENDING INTO THIS JURISDICTION

Deputies from this department should not join a pursuit being conducted by another agency unless specifically requested to do so by that agency and with approval from a supervisor.

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When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Ventura County Sheriff's Office, the Watch Commander or supervisor should review the request as soon as practicable, taking into consideration:

(a) Whether the need to apprehend the fleeing suspect outweighs the risks of the pursuit to deputies and the public.

(b) Whether there is adequate staffing to continue the pursuit.

(c) The available units' capabilities to maintain the pursuit.

(d) The number of available units and other resources of the pursuing agency.

Assistance to a pursuing agency by deputies of this department should terminate at the County limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department should continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, deputies should provide appropriate assistance to the pursuing agency such as scene control, inter-agency coordination, completion of supplemental reports, and any other reasonable assistance requested or needed.

307.9 PURSUIT INTERVENTION

Pursuit interventions should only be used when it reasonably appears that using the intervention will contain or prevent the pursuit, and the need to immediately stop the fleeing vehicle outweighs the risks of injury or death to deputies and others.

Pursuit interventions may be construed as a use of force, including deadly force, and are subject to the policies guiding such use. Deputies should consider the guidelines for the use of force when deciding how, when, where, and if a pursuit intervention should be employed. Refer to the Use of Force Policy for additional guidance.

Whenever practicable, a deputy should seek approval from a supervisor before employing any pursuit intervention to stop a fleeing vehicle. Deputies should not attempt a pursuit intervention unless they have received the appropriate training for the intervention being used.

307.9.1 TIRE DEFLATION DEVICE

Before deploying a tire deflation device, deputies should consider factors such as:

(a) Speed of the fleeing vehicle - Traveling at high speeds increases the risk the suspect will lose control of the vehicle after driving over or swerving to avoid a tire deflation device.

(b) Weather and visibility - Tire deflation devices should only be deployed when the location, weather, and other conditions allow the deploying deputy to clearly see the fleeing vehicle, pursuit units, and other approaching traffic.

(c) Cover - Deployment should occur in a location that provides the deploying deputy adequate cover and escape from intentional or unintentional exposure to the approaching vehicles.

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(d) Road conditions - Soft or loose material such as dirt or gravel may prevent a tire deflation device from puncturing the vehicle's tire. Deploying the device on loose pavement or icy or wet roads increases the risk of the suspect losing control of the vehicle.

(e) Characteristics of the deployment area - A tire deflation device should not be deployed in areas that are heavily populated with pedestrians, at times of heavy traffic, or at a location where there is a heightened chance of encountering a suspect while deploying the device or striking a fixed object.

(f) Characteristics of the fleeing vehicle - Except in extraordinary circumstances, a tire deflation device should not be used when the fleeing vehicle is a motorcycle or other vehicle with fewer than four wheels, an ATV, a vehicle transporting hazardous materials, or a school bus transporting children.

Because of the risks to deploying deputies, the intent to deploy a tire deflation device and its location should be clearly communicated to the dispatcher and all involved units. Officer safety shall always be the primary consideration when deploying any tire deflation device.

307.9.2 PIT

The PIT is not authorized by this department.

307.9.3 BOXING-IN OR BLOCKING

Boxing-in or blocking should only be used when the suspect's vehicle is stopped or traveling at a low speed.

Boxing-in requires the participation of multiple units and therefore must be carefully coordinated with all involved.

307.9.4 RAMMING AND ROADBLOCKS

Ramming and roadblocks shall only be used when deadly force is warranted and all other reasonable alternatives have been exhausted or reasonably appear ineffective.

307.9.5 FIREARMS

Specific guidance on the use of a firearm during a vehicle pursuit is addressed in the Use of Force Policy.

307.10 TERMINATING A PURSUIT

The factors considered when initiating a pursuit should be continually reevaluated by pursuing units during the pursuit, as the circumstances and conditions change, and as new information becomes available. If at any time the risk of continuing the pursuit outweighs the need to immediately apprehend the suspect, the pursuit should be terminated.

In addition, a pursuit should be terminated when:

(a) A supervisor directs the pursuit to be terminated.

(b) The location of the fleeing vehicle is no longer known.

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(c) The distance between the pursuing units and the fleeing vehicle is so great that further pursuit would be futile or would continue for an unreasonable time and/or distance.

(d) The pursuing unit sustains damage or a mechanical failure that makes it unsafe to drive or renders the emergency lighting and sirens partially or completely inoperable and there are no additional units readily available to take over the pursuit.

When a pursuit terminates for any reason, all pursuit units should verbally acknowledge termination, turn off emergency lights and sirens, reduce their speed, and obey all traffic laws. The primary unit should communicate the location of pursuit termination to the [dispatcher.

307.10.1 LOSS OF PURSUED VEHICLE

When a pursuit is terminated because the location of the fleeing vehicle is no longer known, the primary unit should broadcast pertinent information for other units to assist in locating the suspect. The primary unit or supervisor will be responsible for coordinating any further search for the pursued vehicle.

307.10.2 APPREHENSION OF SUSPECTS

Deputies should exercise proper self-discipline and sound professional judgment at the conclusion of a pursuit and while apprehending the suspect.

Unless otherwise directed by a supervisor, a deputy other than the primary unit should coordinate efforts to apprehend the suspect following the pursuit.

Any use of force necessary to apprehend the suspect shall be consistent with the Use of Force Policy.

307.11 DEBRIEFING

Participating deputies should return to their work station as soon as practical following a pursuit to debrief with a supervisor.

307.12 REPORTING REQUIREMENTS

Appropriate reports should be completed as required by applicable laws, policies, and procedures.

(a) Pursuing deputies should complete appropriate crime/arrest and pursuit reports.

(b) The involved supervisor, or if unavailable, the on-duty field supervisor, shall obtain available information and promptly complete appropriate written notification to the Sheriff or the authorized designee. The notification should briefly summarize the pursuit and include, at a minimum:

1. Date and time of the pursuit.
2. Reason and circumstances surrounding the pursuit (e.g., seriousness of the crime, road and traffic conditions, speed and driving behavior of the fleeing vehicle) that warranted initiation and continuation of the pursuit.
3. Length of pursuit in distance and time, including the starting and termination points.

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4. Involved vehicles and deputies.
5. Alleged offenses.
6. Whether a suspect was apprehended, as well as the means and methods used.
7. Arrestee information, if applicable.
8. Any injuries and/or medical treatment.
9. Any property or equipment damage.
10. Name of supervisor at the scene or who handled the incident.

307.12.1 STATE-SPECIFIC REPORTING REQUIREMENTS
The Professional Standards Bureau shall ensure that the Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1).

307.13 PURSUIT TRAINING

The Training Center Sergeant should ensure that members of this department receive initial and annual training on this policy and vehicle pursuits relevant to their role (e.g., deputies, supervisors, air units, dispatchers).

Deputy training should address decision-making involved in initiating, continuing, and terminating a pursuit by balancing the need to apprehend the suspect with the risk of a pursuit. Subject to available resources, training on pursuit driving and the deployment of pursuit intervention tactics should include scenario-based training and behind-the-wheel practice, in addition to classroom instruction.

307.13.1 STATE-SPECIFIC TRAINING REQUIREMENTS
The Training Center Sergeant shall make available to all deputies initial and supplementary POST training on pursuits required by Penal Code § 13519.8, Vehicle Code § 17004.7(d), and 11 CCR 1081, and no less than annual training addressing:

(a) This policy.

(b) The importance of vehicle safety and protecting the public.

(c) The need to balance the known offense and the need for immediate capture against the risks to deputies and others.

307.14 POLICY ACKNOWLEDGEMENT

Deputies of this department shall certify in writing that they have received, read, and understand this policy initially, upon any amendments, and whenever training on this policy is provided. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member's training file.

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307.15 APPLICATION OF VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.

307.16 POST PURSUIT VEHICLE INSPECTION

(a) Sheriffs vehicles involved in high-speed pursuits are subjected to extreme driving conditions. Because of those extreme driving conditions, it is necessary to inspect the vehicle for wear or damage and to ensure the vehicle is mechanically safe for continued use.

(b) At the conclusion of a high-speed pursuit, the vehicle will be taken out of service for a mechanic's post-pursuit inspection. The determination of what constitutes a high-speed pursuit must be made by the field supervisor after debriefing the deputy involved in the pursuit.

(c) Consideration shall be made as to:

1. Duration of the pursuit
2. Speeds attained;
3. Frequency of rapid acceleration/deceleration;
4. Hard Braking;
5. Any impact to the vehicles' undercarriage, front end, or drivetrain.

Vehicles requiring a mechanic's post-pursuit inspection shall be taken out of service utilizing the GSA FLEET SERVICES form. In the box provided for "other problems" indicate "Mechanic's Post-Pursuit Inspection." If information is known regarding any impact to the undercarriage or front end it shall be noted. The duration of the pursuit and speed attained shall also be noted.

307.17 VCLECC PURSUIT AGREEMENT

The Ventura County Law Enforcement Coordinating Committee has adopted an agreement that establishes uniform guidelines for coordinating police pursuits that cross jurisdictional boundaries within Ventura County. The document can be accessed at the following link:

See attachment: VCLECC Cross-Jurisdictional Pursuits 05-2024.pdf

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ROBBERY ALARM CALL RESPONSE

308.1 PURPOSE

To establish guidelines for department personnel when handling and responding to alarm calls.

308.2 CALL-TAKER RESPONSIBILITIES

Upon receipt of a robbery alarm call from an alarm company, the call-taker will:

(e) Direct witnesses to remain at the scene until contacted by the deputy. If they must leave, the call-taker will obtain their names, home and work addresses, and contact telephone numbers.

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(f) After the information has been verified by an on-scene deputy, notify other agencies of a confirmed robbery and supply them with all relevant information.

(g) Upon receiving the suspect description and relevant information from the primary patrol unit for the formal broadcast: Add the suspect information in broadcast format to the call slip; Send a CAD message to each radio dispatcher with the broadcast type (211), incident number and "BCAST", so the radio dispatchers know the need to broadcast the information; Provide the broadcast information to neighboring agencies, via telephone, if it appears as though the suspect might be enroute through or to that agency's jurisdiction; Ensure that all of the information has been included in the CAD event.

308.3 DISPATCHER RESPONSIBILITIES

(a) Upon receipt of a robbery alarm call, the dispatcher will:

[redacted]

(b) (False Alarm) Upon notification that the robbery alarm is false, the dispatcher will:

[redacted]

(c) (Confirmed) Upon notification that it is a confirmed robbery:

[redacted]

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308.4 SCC SUPERVISOR RESPONSIBILITIES

Upon notification of a confirmed robbery, the SCC supervisor will:

(a) Notify the watch commander;

(b) Assist the watch commander in determining whether the incident should be moved to a tactical channel;

(c) Ensure that the suspect description and relevant information on the call slip is accurate and complete and, if so, authorize its release;

308.5 WATCH COMMANDER RESPONSIBILITIES

Upon notification of a confirmed robbery, the watch commander will:

(a) Closely monitor the call for appropriate response by field units;

(b) Oversee tactical coordination and communications;

(c) Confer with the field supervisor regarding tactics being deployed and the need for additional resources or specialized units;

(d) Notify appropriate resources including the FBI, if needed;

(e) Ensure department staff notifications are made per protocol.

308.6 PRIMARY PATROL UNIT RESPONSIBILITIES

The primary patrol unit should:

(a) Take immediate command of the incident;

(b) Develop a flexible plan while enroute and coordinate additional units until relieved by a field supervisor;

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[redacted]

(k) If the call is a confirmed robbery, contact victim(s) and witness(es) as soon as possible to obtain suspect information;

[redacted]

(m) Request an ambulance if necessary;

(n) Stabilize and secure the crime scene;

(o) Call the SCC and provide the call-taker with complete suspect description(s) and all relevant information so that a formal broadcast can be prepared;

(p) Complete the original crime report, unless otherwise directed by the field supervisor or watch commander;

[redacted]

308.6.1 SECONDARY PATROL UNIT RESPONSIBILITIES
The secondary patrol unit will:

[redacted]

308.7 FIELD SUPERVISOR RESPONSIBILITIES
The field supervisor will:

(a) Notify the dispatcher that they are responding to the call;

(b) Make contact with the primary unit for briefing and assume overall control of the incident as needed;

(c) Notify the dispatcher by radio of any changes in command;

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(d) Direct and coordinate on-scene tactics and resources;

(e) Coordinate the request and notification of any specialized units.

308.8 CODE 5 UNITS RESPONSIBILITES

The Code 5 units should:

(a) Respond to appropriate Code 5 locations as soon as possible and notify dispatch of arrival and location;

(b) Continue Code 5 until relieved, dispatched to a call, or advised otherwise by the field supervisor or watch commander;

(c) Observe suspicious vehicle(s) in or leaving the area and, if circumstances do not justify a traffic stop, record the vehicle description, license plate number and occupants;

308.9 UNMARKED UNIT RESPONSIBILITIES

The unmarked units should:

(a) Advise the dispatcher if they are in the area and responding to the call;

(b) Report to the on-scene supervisor;

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Code 3 Response

309.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

309.1.1 DEFINITIONS

Forward Facing Red light –Steady red light illuminated to the front of the emergency vehicle

Siren: Audible sound alerting the public of emergency personnel's response

(a) Wail/ Yelp – Alternating high / low tones varying in duration that are the only legally available settings that should be used for Code 3 response. Switching from one to the other when clearing intersections may be helpful in alerting the nearby public to law enforcements presence.

(b) Hi/Lo – European Siren alternating in high and low tones, specifically used to alert targeted communities of an immediate need to evacuate.

309.2 COMMUNICATION WITH SCC

The Sheriff's Office recognizes the advancement in technology and its ability to assist with communications between deputies in the field, supervisors, and dispatchers. The use of the "Silent Dispatch" and GPS functions in the MDT will help alleviate unnecessary radio traffic during emergency situations and is encouraged to be utilized during these times. These functions will satisfy the SCC notification requirements referred to in this policy.

309.3 RESPONSE TO CALLS

Deputies dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Deputies responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the deputy of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Deputies should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Deputies not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.4 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of deputies, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation

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has stabilized and emergency response is not required, the requesting deputy shall immediately notify Sheriff's Communications Center (SCC).

If circumstances permit, the requesting deputy should give the following information:

- The unit call sign
- The location
- The reason for the request and type of emergency
- The number of units required

309.4.1 NUMBER OF UNITS ASSIGNED
Normally, two units should respond to an emergency call Code-3 unless the watch commander or the field supervisor authorizes an additional unit(s).

309.5 INITIATING CODE 3 RESPONSE

If a deputy believes a Code-3 response to any call is appropriate, the deputy shall immediately notify Sheriff's Communications Center (SCC). Should another deputy believe a Code-3 response is appropriate, Sheriff's Communications Center (SCC) shall be notified.

309.6 RESPONSIBILITIES OF RESPONDING DEPUTY(S)

Deputies shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Deputies shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the deputy. If, in the deputy's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the deputy may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the deputy should immediately notify Sheriff's Communications Center (SCC). A deputy shall also discontinue the Code-3 response when directed by a supervisor.

309.6.1 EMERGENCY LIGHTS

(a) Rear Facing Lights

The use of only rear facing emergency lights to pass through a red traffic signal or stop sign, exceed the posted speed limit or otherwise violate the provisions of the rules of the road in the Vehicle Code is prohibited.

(a) Red Lights

Other than operating Code-3, the forward facing red warning light(s) shall not be displayed other than when necessary for effecting vehicle or pedestrian stops, protecting the scene of an incident or situation where an extreme hazard exists, blocking a roadway or special event situations such as parades, equipment demonstrations, etc.

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309.7 COMMUNICATIONS RESPONSIBILITIES

A SCC dispatcher shall assign a Code-3 response when a deputy requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. In all other circumstances, the dispatcher shall obtain authorization from the watch commander or a field supervisor prior to assigning units Code-3. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance

(b) Immediately notify the watch commander

(c) Confirm the location from which the unit is responding

(d) Notify and coordinate allied emergency services (e.g., fire and ambulance)

(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated

(f) Control all radio communications during the emergency and coordinate assistance.

309.8 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the watch commander or the field supervisor shall verify the following:

(a) The proper response has been initiated

(b) No more than those units reasonably necessary under the circumstances are involved in the response

(c) Affected outside jurisdictions are being notified as practical

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the watch commander or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

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309.9 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the deputy must terminate the Code-3 response and respond accordingly. In all cases, the deputy shall notify the watch commander, field supervisor, or Sheriff's Communications Center (SCC) of the equipment failure so that another unit may be assigned to the emergency response.

309.10 CODE 3 SELF INITIATE

Deputies may self-initiate a Code-3 response subject to the aforementioned "Code-3" criteria, with due consideration for vehicle traffic conditions, pedestrians, location, time of day, road and environmental conditions.

All deputies must immediately notify SCC Communications that they are proceeding Code-3.

309.11 EVACUATION (HI/LO) SIREN

The Hi/Lo siren may be used to alert targeted communities of an immediate need to evacuate. The Hi/Lo siren is an indicator to people in a specific area that they are in imminent danger and is used to convey the need to evacuate immediately. Indiscriminate use of the siren may reduce the public’s awareness of the siren’s uniquely identifiable sound and purpose and is therefore prohibited.

The Hi/Lo siren may not be used while driving Code 3; however, emergency lights shall be activated while using the Hi/Lo siren to warn of danger. All traffic laws must be obeyed while using this siren. If a Code 3 response is necessary, wail or yelp are approved Code 3 sirens.

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[redacted] EMERGENCY ASSISTANCE

310.1 PURPOSE AND SCOPE

To establish guidelines for requesting emergency assistance, [redacted]

310.1.1 DEFINITION

[redacted] is a radio call that is used by any member of this department when emergency field assistance is urgently needed.

310.2 PROCEDURES

(a) Member Requesting

1. Give unit identifier or call sign, location, nature, and as much additional information as possible to ensure an adequate response.

(b) Radio Dispatcher

1. Immediately broadcast a 10-33 and repeat [redacted] with all relevant information, i.e., unit identifier, location, and circumstances, if known.
2. Dispatch two units, initially, Code 3.

(c) Watch Commander

1. Evaluate the incident using available information and monitor dispatch to ensure that the appropriate type and number of resources are deployed.
2. Evaluate the need for outside agency resources.

(d) Other options:

1. Hold a shift over
2. Call next duty shift to work early
3. Request intradepartmental assistance.
4. Activation of S.W.A.T. or T.R.T
5. Invoke Mutual Aid

310.2.1 INCIDENT DOCUMENTATION

In addition to required reports, a memorandum summarizing the incident shall be completed by the on-scene supervisor and forwarded via channels to the Sheriff.

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Canines

311.1 PURPOSE AND SCOPE

The purpose of the Ventura County Sheriff's Office Canine Unit is to provide highly trained teams of handlers and canines to support the department's mission of safeguarding the lives and property of residents of Ventura County. This policy establishes guidelines for the use of canines to augment police services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

311.2 POLICY

It is the policy of the Ventura County Sheriff's Office that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

311.3 REQUESTS FOR CANINE TEAMS

All members of the Department are encouraged to request the use of a canine. "Planned" canine requests (i.e., search warrants, etc.) should be requested through the Canine Unit Supervisor or Canine Program Manager. When "planned" events are scheduled, it is the duty of the canine handler to notify Station Supervisors, Managers and, when impacting normal patrol operations, the Watch Commander.

Urgent requests for a canine unit are to be made through the Watch Commander or field supervisor whenever practical.

While the decision to deploy the canine shall generally reside with the canine handler during a call or event, the handler does not assume supervisory responsibility over the entire scene.

311.4 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Watch

Commander and are subject to the following:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.

(b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.

(c) Calling out off-duty canine teams is discouraged when on-duty canines are or will be available.

(d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

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(e) It shall be the responsibility of the canine handler to complete all necessary reports associated with the event.

311.5 PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the

Canine Program Manager or Canine Unit Supervisor. The Canine Unit Supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the Canine Unit Manager or Supervisor.

After a canine handler is assigned to conduct a public demonstration, it is his/her responsibility to make appropriate notifications to their Patrol Supervisor and scheduling person at their assigned patrol station if the demonstration will impact patrol operations.

311.6 APPREHENSION GUIDELINES

The police canine should be considered as non-lethal. When using a canine as a means of force, the handler must give proper consideration to department policy, the California Penal Code, as well as current case law relating to the use of police canines.

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense (i.e., violent crime, crimes involving weapons, crimes where the suspect is reasonably believed to be armed) and if any of the following conditions exist:

(a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.

(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

Note: Apprehension canines shall not be used to search for non-suspects, i.e., missing or gravely disabled persons, or low-level offenses that do not meet the apprehension criteria listed above.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

The canine handler will evaluate each situation and determine if the use of a canine is feasible. Generally, the decision to deploy the canine shall remain with the canine handler. However, a

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Patrol Supervisor or Watch Commander sufficiently apprised of the situation may decide not to deploy the canine.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a bite, and the handler believes that the suspect no longer poses a threat, the handler shall promptly command the canine to release the suspect.

311.7 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

(a) The suspects known or perceived age.

(b) The nature and seriousness of the suspected offense.

(c) Whether violence or weapons were used or are anticipated.

(d) The degree of resistance or threatened resistance, if any, the suspect has shown.

(e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.

(f) Any potential danger to the public and/or other officers at the scene if the canine is released.

(g) The potential for the suspect to escape or flee if the canine is not utilized.

(h) Any other factors or information that might be available at the time.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury. It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable. A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine. Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

311.8 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender shall be made prior to releasing a canine. If the handler is able to give the warning/announcement in a second language (i.e., Spanish) he/she is encouraged to do so. The handler should allow a reasonable time for a suspect to

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surrender. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard.

If a warning is not to be given, the canine handler, when practicable, should first advise the on-scene supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

311.9 SUSPECT SEARCHES

Whenever a canine is deployed for a building and/or area searches the following should be considered:

(a) The canine team should be the first to enter into the search area.

(b) When practical, a perimeter of the search area should be established.

(c) At least one patrol deputy, two are preferred, accompany the canine team during the search. The deputy(s) responsibility is to watch for individuals or suspect(s) and act as security for the canine handler.

The decision to conduct the search on or off-lead will be left up to the canine handler.

311.10 CROWD CONTROL

Canine teams **SHALL NOT** be used for crowd control.

311.11 DE-ESCALATION INVOLVING CANINE

When circumstances permit, handlers should utilize techniques to decrease the intensity of a situation, improve communication, mitigate the necessity of a use of force and attempt to gain voluntary compliance.

If a handler or supervisor on the scene of an incident recognizes that the mere presence of the canine is causing the situation to escalate (i.e, subject experiencing a mental health crisis), the handler or supervisor should consider removing the canine from the scene in an effort to de-escalate.

This policy should not preclude a handler from reintroducing the canine back into the situation should attempts to de-escalate fail or the suspect's actions or other factors support the need for the canine.

311.12 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Whenever a canine deployment results in a bite or causes injury to an intended suspect, the following shall apply:

(a) The canine handler will first tend to the immediate needs of the injured suspect by providing and/or obtaining medical attention and, if appropriate, transported to an appropriate medical facility for further treatment.

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(b) The canine handler will notify the Patrol Supervisor and the Watch Commander of the circumstances surrounding the incident.

(c) The canine handler will notify the Canine Unit Supervisor or his/her designee of the incident and the circumstances.

(d) All reports, including (Crime, Arrest, Supplemental, etc.) shall be completed prior to the end of shift, unless otherwise permitted by the Watch Commander, the Canine Unit Supervisor, or the Canine Program manager.

(e) The canine handler shall photograph the affected area(s). If the suspect alleges an injury that is not visible, the canine handler shall photograph those area(s) as well.

(f) If the suspect refuses to allow the canine handler to view the affected area, the canine handler will call another deputy, preferably the Patrol Supervisor or Canine Unit Supervisor, to act as witness to the refusal.

The Patrol Supervisor should respond to the scene if feasible after being notified by the canine handler. The Patrol Supervisor will ensure the Watch Commander is apprised of the incident and the circumstances and document the Use of Force as necessary per department policy.

The Watch Commander will ensure the Canine Unit Supervisor and the Canine Program Manager are notified of the incident. This does not negate the Watch Commander from following other procedures, such as making other notifications to the effected Division's Commander, Area Captain and any other personnel needing to be notified.

The Canine Unit Supervisor or his/her designee shall respond to the scene of the incident and/or hospital where the suspect is located to ensure a complete investigation is conducted. The Canine Unit Supervisor will notify the Canine Program Manager of the circumstances surrounding the incident after speaking with the canine handler, reviewing the Body Worn Camera (BWC) footage of the incident, and speaking with the suspect.

The Canine Program Manager or his/her designee will notify the Canine Unit Commander and Sheriff's Special Counsel of the incident and information surrounding the circumstances. At that time, it will be determined if the circumstances dictate the response of Sheriff's Special Counsel.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

311.13 NON-APPREHENSION GUIDELINES

Patrol canines trained in apprehension shall not be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented, gravely disabled, or in need of medical attention).

However, a non-apprehension police canine that is trained and certified in human tracking/ detection may be used in these circumstances. The canine handler is responsible for determining

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the canine's suitability for such assignments based on the conditions and the particular abilities of the canine.

When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

(a) Such applications should generally be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should place the canine in a down stay or otherwise secure it as soon as reasonably practicable.

311.14 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

311.15 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics detection trained canine will not be used to search a person for narcotics.

311.16 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

(c) Absent a call for service or other law enforcement activity meeting the guidelines for a search or apprehension, the canine should remain in the handler's vehicle.

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This does not preclude the use of the canine for public K9 demonstrations or public relations activity outside of the scope of an enforcement contact.

311.17 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the Canine Program Manager, Canine Unit Supervisor, or Watch Commander as soon as practicable and appropriately documented. All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained by the Canine Unit.

311.18 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current

POST guidelines or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics or tracking, also shall be trained and certified to meet POST guidelines or other recognized and approved certification standards established for their particular skills.

The Canine Unit Supervisor shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, the Canine Unit Supervisor should also schedule periodic training for the canine handlers about the risk of exposure and treatment.

311.18.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current POST or other recognized

and approved certification standards on an annual basis. Additional training considerations are

as follows:

(a) Canine teams should receive training as defined in the current contract with the Ventura County Sheriff's Office canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the Canine Unit Supervisor.

(c) To ensure that all training is consistent, no canine handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this Canine Program Manager and Canine Unit Commander.

311.18.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to obtain certification shall not be deployed in the field for tasks the team is not certified to perform until certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

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311.18.3 TRAINING RECORDS

All canine training and activity records shall be entered by the canine handler and maintained by the Canine Unit Supervisor.

311.19 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Deputies possessing, using, or transporting controlled substances, guns and/or ammunition or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Ventura County Sheriff's Office may work with outside trainers with the applicable licenses or permits

311.20 CONTROLLED SUBSTANCE TRAINING AIDS

Deputies acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics detection canine training in compliance with state and federal laws (Health & Safety Code § 11367.5; 21 USC § 823(f)).

The Sheriff or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Ventura County Sheriff's Office to be possessed by the member or a narcotics detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Sheriff or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

311.20.1 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these

controlled substances, the following procedures shall be strictly followed:

(a) All controlled substance training samples shall be weighed and tested by Department Property Room personnel prior to dispensing to the individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.

(c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

(d) All controlled substance training samples will be inspected, weighed, and tested annually (January). The results of the testing shall be recorded and maintained bythe Canine Program Manager with a copy forwarded to Canine Unit Commander.

(e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall

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be secured in the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The Canine Unit Supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Sheriff's Property Room.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency

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Domestic Violence

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

This policy should be used as a supplement to the Ventura County Law Enforcement Domestic Violence Investigation Protocol, which is a comprehensive guide to handling and investigating domestic violence incidents by all county law enforcement agencies and the County Counsel's Office (refer to link below):

https://sheriffintranet/wp-content/uploads/2018/08/DV_Investigation_Protocol.pdf

312.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

312.2 POLICY

The Ventura County Sheriff's Office's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

312.3 OFFICER SAFETY

The investigation of domestic violence cases often places deputies in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all deputies to exercise due caution and reasonable care in providing for the safety of any deputies and parties involved.

312.4 INVESTIGATIONS

The following guidelines should be followed by deputies when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

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(b) When practicable, deputies should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

1. A lethality assessment should be administered to victims of domestic violence to assess the level of danger and/or the severity of the situation and attached to the appropriate report.

(c) Deputies should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Bureau in the event that the injuries later become visible.

(f) Deputies should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, deputies should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

(i) When completing an incident or arrest report for violation of a court order, deputies should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting deputy should attach a copy of the order to the incident or arrest report.

(j) Deputies should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Whether the suspect lives on the premises with the victim.
2. Claims by the suspect that the victim provoked or perpetuated the violence.
3. The potential financial or child custody consequences of arrest.
4. The physical or emotional state of either party.
5. Use of drugs or alcohol by either party.

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6. Denial that the abuse occurred where evidence indicates otherwise.
7. A request by the victim not to arrest the suspect.
8. Location of the incident (public/private).
9. Speculation that the complainant may not follow through with the prosecution.
10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
11. The social status, community status, or professional position of the victim or suspect.

312.4.1 ARRESTING DEPUTIES' RESPONSIBILITIES REGARDING FIREARMS
If a suspect is arrested, deputies shall (Penal Code § 273.76):

(a) Query the Automated Firearms System through the California Law Enforcement Telecommunications System (CLETS) for any firearms owned or possessed by the arrestee.
    1. The investigating or filing deputy shall include a copy of the Automated Firearms System report when filing the case with the district attorney or prosecuting city attorney.
(b) Ask the arrestee, victim, and any other household members, if applicable, about any firearms owned or possessed by the arrestee.
(c) Ensure that any firearm or other deadly weapon in plain sight or discovered pursuant to a consensual or other lawful search is taken into temporary custody pursuant to Penal Code § 18250.
(d) Document in the arrest report the detailed actions taken required by Penal Code § 273.76.

312.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, deputies should be aware that a victim's behavior and actions may be affected:

(a) Victims should be provided with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
(b) Victims should also be alerted to any available victim advocates, shelters, and community resources.
(c) When an involved person requests law enforcement assistance while removing essential items of personal property, deputies should stand by for a reasonable amount of time.
(d) If the victim has sustained injury or complaints of pain, deputies should seek medical assistance as soon as practicable.

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(e) Deputies should ask the victim whether the victim has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for the victim's safety or if the deputy determines that a need exists.

(f) Deputies should make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(g) If appropriate, deputies should seek or assist the victim in obtaining an emergency order if appropriate.

A deputy shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).

312.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Deputies should request that [dispatchers check whether any of the involved persons are subject to the terms of a court order.

312.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by deputies as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

312.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, deputies should carefully review the actual order when available, and where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.

1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the deputy shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order

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before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).

(b) Check available records or databases that may show the status or conditions of the order.

1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Deputies should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Deputies should contact a supervisor for clarification when needed.

312.9 STANDARDS FOR ARRESTS

Deputies investigating a domestic violence report should consider the following:

(a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.

1. Deputies are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the deputy makes the arrest as soon as probable cause arises (Penal Code § 836).

(b) A deputy responding to a domestic violence call who cannot make an arrest will advise the victim of the victim's right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Deputies shall not dissuade victims from making a lawful private person's arrest. Deputies should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).

(c) Deputies shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):

1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)

2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender's child)

3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party

4. Penal Code § 646.9 (stalking)

5. Other serious or violent felonies specified in Penal Code § 1270.1

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(d) In responding to domestic violence incidents, including mutual protective order violations, deputies should generally be reluctant to make dual arrests. Deputies shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, a deputy shall consider:

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.

(e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the deputy's presence. After arrest, the deputy shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

312.10 REPORTS AND RECORDS

(a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.

(b) Reporting deputies should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.

(c) Deputies who seize any firearm, ammunition, or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)).

312.11 RECORD-KEEPING AND DATA COLLECTION

This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710), as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Records Manager to maintain and report this information as required.

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312.12 SERVICE OF COURT ORDERS

(a) A deputy who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located and shall provide the person protected or the person's parent/guardian with a copy of the order. The deputy shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

(b) A temporary restraining order, emergency protective order, or an order issued after a hearing shall, at the request of the petitioner, be served on the restrained person by a deputy who is present at the scene of a reported domestic violence incident or when the deputy receives a request from the petitioner to provide service of the order (Family Code § 6383; Penal Code § 13710).

(c) Any deputy serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)).

(d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).

1. A deputy should ensure that the Records Bureau is notified of any firearm obtained for entry into the Automated Firearms System (Family Code § 6383) (see the Records Bureau Policy for additional guidance).

(e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the deputy shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The deputy shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide the person with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

312.13 DECLARATION IN SUPPORT OF BAIL INCREASE

Any deputy who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee's appearance or to protect the victim or family member of a victim, the deputy shall prepare a declaration in support of increased bail (Penal Code § 1269c).

312.14 PUBLIC ACCESS TO POLICY

A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

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Search and Seizure

313.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Ventura County Sheriff's Office personnel to consider when dealing with search and seizure issues.

313.2 POLICY

It is the policy of the Ventura County Sheriff's Office to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

In accordance with the Training Policy, the Department will provide relevant and current training to deputies as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

313.2.1 SEARCHING FEMALES

Generally, male members of the department shall not search females. An exception is when the search is necessary to protect the life or safety of a department member, and there is no member available who is of the same sex as the person to be searched. In these situations, the search shall be limited to weapons and items that could be used as weapons. This includes "pat downs," "frisks," and "cursory" searches.

This guideline is to provide clarification for searching female detainees, probationers, possible or actual suspects, arrestees, etc., who are not in a detention facility. Refer to the Detention Services Division Policy and Procedures Guide for information regarding searches conducted while a person "in custody."

313.2.2 PROCEDURE

When the person to be searched is of the opposite sex of the deputy, a deputy of the like sex should be summoned to the scene to conduct the search. A search may be undertaken of a member of the opposite sex when it is not practical to summon a deputy of the like sex. In these instances the deputies will adhere to the following guidelines:

(a) Notify a field supervisor

(b) If it becomes necessary for a male to search a female, it would be preferable to have a witness present in the following order:

1. A female department member.
2. A male department member.
3. A female witness who is not part of, or connected to, the detention / arrest situation

(c) If possible, audio-record the contact and any subsequent search.

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(d) Officer safety is the first priority and the amount of time available to secure a witness will vary from case to case, and may necessitate performing the search without a witness. Clearly, the intent of having a witness is to allow the department employee an opportunity to defend against any potential complaints of impropriety.

(e) When a search is conducted pursuant to this policy the circumstances of the incident and the manner in which the search was conducted shall be fully documented in any report generated as a result of the contact. If no report is required, a memorandum shall be prepared setting forth the relevant facts and circumstances. The memorandum shall be forwarded to the employee's station captain.

313.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, deputies are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

313.3.1 SEARCH WARRANT

Search warrants are issued upon a finding of probable cause by a magistrate. Generally, search warrants can be prepared and requested by any sworn member of the department. However, the following shall apply to the preparation and execution of a search warrant by members of this department.

(a) Preparation - The preparation of a search warrant shall not be undertaken without the knowledge of a supervisor.

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(b) Approval - The Ventura County Superior Court will not review a search warrant that has not been read and evaluated by a member of the District Attorney's Office.

(c) Presentation to Magistrate - The affiant (preparing deputy) shall follow currently approved methods for contacting a magistrate for judicial consideration of a search warrant.

(d) Execution of Warrant - A supervisor (rank of sergeant or higher) shall be present at the execution of all search warrants of physical locations served by members of this department.

(e) Reports - Under all circumstances, a report shall be prepared outlining the execution of a search warrant.

(f) Evidence - Evidence shall be collected, documented and stored in accordance with contemporary methods and practices.

313.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Deputies should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching deputy, a reasonable effort should be made to summon a deputy of the same sex as the subject to conduct the search. When it is not practicable to summon a deputy of the same sex as the subject, the following guidelines should be followed:

1. Another deputy or a supervisor should witness the search.
2. The deputy should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

313.5 DOCUMENTATION

Deputies are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search

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- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon a deputy of the same sex as the person being searched and the identification of any witness deputy

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

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SEARCH & RESCUE

314.1 PURPOSE

Establish the responsibilities for Search and Rescue (SAR) incidents involving overdue, missing or lost persons.

314.2 PROCEDURE

When a search and rescue report is received, the Watch Commander will obtain all available information regarding the circumstances and dispatch the nearest patrol unit to the location. The responding patrol deputy will obtain any additional information and brief the Watch Commander. The patrol deputy is responsible for completing the initial Missing Persons Report. The Watch Commander will assign a field supervisor to the incident to coordinate the initial stages of the search.

All SAR incidents shall be immediately brought to the attention of the SAR Coordinator and/or Air Unit (SAR) Captain. The SAR Coordinator will evaluate the information and activate the appropriate SAR Teams/resources to handle the mission. The SAR Coordinator will immediately respond to the incident to coordinate the entire search operation and assume the role of Incident Commander. For persons missing in an urban environment, both the Field Supervisor and SAR Coordinator will coordinate the search function under a unified command structure.

When a report of a lost child is received, and the child is not immediately located by responding patrol deputies, the Watch Commander will notify area detectives and/or Major Crimes, who will be assigned to assist with the search. Detectives will coordinate their efforts with patrol and any other unit or agency involved.

314.3 SUPERVISOR RESPONSIBILITIES

(a) THE ROLE OF THE FIELD SUPERVISOR
    (a) Establish a Command Post/base of operations. Initiate Command System.
    (b) Act as Incident Commander of the entire field operation and coordinate the initial efforts of rescue personnel until relieved by the SAR Coordinator.
    (c) Brief arriving rescue personnel on all available information pertaining to the operation.
    (d) Obtain approval of the Watch Commander for needed equipment and personnel.
    (e) Maintain a log listing all personnel, their units, time and assignments. The original to be submitted to the SAR Coordinator.

(b) THE ROLE OF THE SAR COORDINATOR
    (a) Incident Commander of the entire field operation.
    (b) Ensure the Incident Command System is utilized.
    (c) Activate SAR Teams and assign responsibilities and missions.

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(d) Ensure operational period briefings are given to rescue personnel.

(e) Ensure rescue personnel are debriefed immediately upon return from field assignments.

(f) Maintain communications with the Patrol Watch Commander for the purpose of obtaining additional supplies, manpower, and equipment.

(g) When necessary, initiate mutual aid requests for personnel and/or equipment through neighboring counties and/or Cal EMA Office of Emergency Services (24 hr. Warning Center (916) 845-8911).

(h) Ensure a sworn member of the Sheriff's Office is assigned as liaison to the missing person's family.

(i) Ensure the SAR Captain and Area Captain are briefed throughout the operation.

(j) Ensure all documentation is completed as required by this policy.

(c) THE ROLE OF THE SAR CAPTAIN OR AREA CAPTAIN

(a) Maintain communication with the SAR Coordinator regarding the status of the search operation, to include the current actions, tactics and strategies being utilized.

(b) On prolonged search operations extending into multiple operational periods and on any search operation where mutual aid is requested to assist with a search in Ventura County, the SAR Captain will respond to assume the role of Incident Commander. Depending on the size or type of search operation, the SAR Captain may be required to assume the role of Section Chief under the ICS structure, in which case the Area Captain will respond to take over as Incident Commander.

(c) Ensure all responsibilities listed for SAR Coordinator are fulfilled.

314.4 DOCUMENTATION

PATROL

(a) Obtain RB number and complete the initial missing persons report.

(b) Establish a log listing all personnel, their unit, time and work assignments. The original to be submitted to the SAR Coordinator.

SAR COORDINATOR

(a) An incident Action Plan (IAP) will be completed for all operational periods on searches that extend past the initial hasty search.

(b) An Incident Report will be completed at the conclusion of every search summarizing the entire operation.

(c) All documentation as required by Aviation/SAR Policy #06-09-01-0 (Documentation of Operations).

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The entire ICS packet, including all IAP's, shall be compiled and submitted to the SAR Captain within 24-hours of the completion of the operation.

314.5 WATER RESCUE

County water rescue searches are conducted by the Sheriff's SAR Dive Team. Other county agencies receiving such a request will refer the information or the informant to the Sheriff's Office.

In all instances where the Dive Team is activated, a SAR Coordinator will be assigned.

314.6 MUTUAL AID REQUESTS FROM OUTSIDE AGENCIES

Ventura County Agencies

Requests for Sheriff's SAR assistance within Ventura County will be evaluated by the Watch Commander. A request should originate with the supervising member of the agency making the request. When assistance is rendered, the personnel and equipment dispatched will remain under the direct control of a Sheriff's Field Supervisor or SAR Coordinator. Care should be exercised as to the amount of personnel expended and consideration given to the gravity of the situation. However, sufficient personnel should be committed to effectively execute the operation.

Out of County Agencies

All out of county requests for Sheriff's SAR assistance should originate from the State (Cal EMA/OES) and have a Cal EMA/OES case number assigned. The Watch Commander shall contact the SAR Coordinator or Air Unit Captain to activate the required personnel. The SAR Coordinator or collateral Assistant SAR Coordinator shall accompany SAR personnel working out of county who will remain under the SAR Coordinator's direct control.

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HELICOPTER OPERATIONS

315.1 PURPOSE AND SCOPE

The mission of the Aviation Unit is to provide aviation resources, on a regional basis, in support of patrol operations, search and rescue, emergency medical evacuations, fire suppression and prevention, disaster assessment, and investigative services.

315.2 HELICOPTER OPERATION

The helicopters shall be operated by an authorized Sheriff's pilot who shall be responsible for the safety of the aircraft and its occupants. Consequently, the pilot shall exercise the final authority to commence or abort a flight mission which may affect the safe operation of the aircraft.

315.3 EMERGENCY SERVICE

Emergency service requires an immediate response to a situation wherein a delay would endanger life or property. Any department member may initiate a request to the watch commander for helicopter response.

Emergency Service '" 0600 --1800 hours, daily:

(a) The Aviation/SAR unit can be contacted directly by Sheriff's Communications Center (SCC) or Fire Communications Center (FCC) and advised of the circumstances necessitating the flight. A pilot shall evaluate the flight information and determine the appropriate aircraft for the mission.

After Hours Emergency Service --1800-2300 hours, daily:

(a) The SCC shall contact the standby pilot and crew chief per the daily schedule. The pilot shall evaluate the information and determine the appropriate aircraft for the mission. If requested, the name and callback telephone number for the requesting agency/ person shall be provided to the pilot/crew chief.

If the emergency occurs during hours when there are no flight crews on standby, the SCC dispatch supervisor or watch commander should attempt to call out any sheriff's pilot or crew chief who is assigned to the unit and may be interested in responding to the Aviation Unit on an overtime basis.

No pilot or crew chief is ever expected to be "on call" or available during these non-standby hours. A pilot or crew chief should never be considered for after-hours contact because they are listed on any document as the "next crew on duty."

At no time shall the Aviation/SAR Unit create or send a schedule to the Sheriff's Communication Center that indicates a pilot or crew chief's availability after 2300 hours.

315.3.1 DISPATCH RESPONSE TIME

Consideration for immediate dispatch should be given for those areas where terrain would inhibit ground vehicles or where response times are long because of distance, i.e. Highway 33 above Rose Valley, Lockwood Valley, Santa Monica Mountains, Ventura and Santa Clara Rivers and off-

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road areas. Every effort should be made to anticipate the need for helicopter services in advance in order to reduce response time.

315.4 EMERGENCY REQUESTS BY OTHER PUBLIC AGENCIES (AFTER HOURS)

All after-hours requests shall be made through the watch commander. Under normal conditions, these requests for service are routinely approved. If there is a question regarding the appropriateness of a flight, the Aviation/SAR Unit Captain or his designated representatives shall be contacted.

315.5 NON-EMERGENCY SERVICES

Non-emergency service is any anticipated use of the aircraft, which allows for prior scheduling before the activity. Any request for a non-emergency flight shall be referred to the Aviation Unit Captain or the designated representative.

315.5.1 NON-EMERGENCY REQUESTS BY OTHER PUBLIC AGENCIES

The Aviation Unit Captain will advise the Aviation Unit Commander of all requests for helicopter services made by other public safety agencies.

315.6 FLIGHT FOLLOWING PROCEDURES

(a) In order to ensure the safety of the crew while in flight, and to facilitate a speedy rescue in the event of an emergency, flight following procedures will be adhered to on all Aviation/SAR Unit flights.

1. Upon takeoff from any location, the crew chief will contact both Fire and Sheriff's Communication Centers.
2. Included in the message will be:
    (a) Departure point
    (b) Route of flight
    (c) Destination
3. Update on flight information will be transmitted by the crew every 15 minutes (location and change in destination).
4. Flight following updates need only be transmitted to one of the dispatch centers. The second dispatch center should be advised that the aircraft is flight following with the other department. In the event of a law enforcement patrol-operated flight, flight following should be accomplished through the SCC.
5. In some instances, dispatch facilities of other agencies may be used for flight following. An example is the US Forest Service (USFS). The USFS radio system utilizes mountain repeaters that enable radio communications in deep canyons and valleys. In this case, request that the USFS dispatcher contact County Fire and/or the Sheriff's Communication Center and advise of the change of flight

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following agencies, or contact the County Fire or the Sheriff's Communication Center directly after establishing flight following procedures with the USFS.

(b) If a helicopter flight does not check-in with Fire or the Sheriff's Communication Center within a 15-minute time frame, the following procedures must be initiated:

(a) When Aviation/SAR Unit personnel are at the heliport, the duty pilot will determine if an immediate search is required, or if additional time should be allowed for the overdue helicopter to reestablish radio contact.

(b) A maximum of 30 minutes past the normal check-in time will be allowed for an overdue helicopter to re-establish radio contact.

315.7 INITIAL OVERDUE SEARCH PROCEDURES

(a) Contact the department or agency the missing helicopter is supporting and ascertain if they have a positive contact with the helicopter. Request the helicopter to contact Fire or Sheriff's Communications Center for flight following update.

(b) If the above mentioned department or agency does not have positive contact with the missing helicopter, contact the US Air Force Rescue Coordination Center (AFRCC), at (757) 764-8112 to find out if the onboard emergency locator transmitter (ELT) has been activated (DO NOT request a search mission to be activated at this point).

1. If the ELT has been activated, the AFRCC should be able to provide the approximate coordinates of latitude and longitude of the ELT signal. This information should be immediately relayed to Aviation Unit/SAR personnel.

(c) Notify the Aviation Unit Captain who will then assume responsibility for coordinating the search and rescue operation. In the absence of the Aviation Unit Captain, the Aviation Unit Commander shall be notified.

1. If the missing helicopter is not located within the first 45 minutes when it is overdue, an extensive air and ground search must be initiated.

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Senior and Disability Victimization

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Ventura County Sheriff's Office members as required by law (Penal Code § 368.6).

The Ventura County Sheriff's Office is committed to providing equal protection and demonstrating respect for all persons regardless of age or disabilities, and to conscientiously enforcing all criminal laws protecting elders, and adults and children with disabilities, regardless of whether these crimes also carry civil penalties (Penal Code § 368.6) (see Child Abuse Policy for child abuse investigations and reporting).

316.2 DEFINITIONS

Definitions related to this policy include:

Adult Abuse - Any offense or attempted offense involving violence or neglect of adults, 65 years of age or older or any offense or attempted offense involving a dependent adult victim committed by a caregiver. This also includes any other act that would mandate notification to a social service/ licensing agency or law enforcement related to the abuse of an adult (Welfare and Institutions Code § 15610.07; Welfare and Institutions Code § 15610.27; Welfare and Institutions Code § 15610.23).

Dependent Adult - Any person residing in this state, between 18 and 64 years of age, who has physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This includes any person between 18 and 64 years of age who is admitted as an inpatient to a 24-hour health facility, as defined in state law (Health and Safety Code § 1250; Health and Safety Code § 1250.2; Health and Safety Code § 1250.3).

316.3 MANDATORY NOTIFICATION

Any member who has observed or has knowledge of an incident that reasonably appears to be adult abuse, is told by an elder or dependent adult that he/she has experienced abuse or who reasonably suspects abuse, shall report to the county adult protective services agency as soon as practicable as provided in Welfare and Institutions Code § 15630.

For purposes of notification, abuse is physical abuse, abandonment, abduction, isolation, financial abuse or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30). Notification is also made in cases of abandonment, abduction, isolation and neglect (Welfare and Institutions Code § 15610.05;

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Welfare and Institutions Code § 15610.06; Welfare and Institutions Code § 15610.43; Welfare and Institutions Code § 15610.57).

Notification should also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

(a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center) notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):

1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.
2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.
3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written report to the local ombudsman within 24 hours.

(b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written report shall be made to the local ombudsman.

(c) The State Department of Public Health shall be notified of all known or suspected abuse occurring in a long-term facility.

(d) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.

(e) The District Attorney’s office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.

(f) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the State Department of State Hospitals or the State Department of Developmental Services.

(g) If the abuse occurred at a residential care facility for the elderly or adult day program, the State Department of Social Services shall be notified.

(h) If the abuse occurred in an adult day health care center, the State Department of Public Health and the California Department of Aging shall be notified.

Failure to make a report within two working days or as provided is a misdemeanor (Welfare and Institutions Code § 15630(h)).

The Detective Bureau supervisor is responsible for ensuring that proper notifications have occurred to the District Attorney’s Office and any other regulatory agency that may be applicable

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based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code § 15630(b).

316.4 DEPUTY'S RESPONSE

All incidents involving actual or suspected adult abuse shall be fully investigated and appropriately documented.

316.4.1 INITIAL RESPONSE

Deputies may be called upon to effect a forced entry as the first responder to the scene of suspected adult abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is not evident, deputies should seek supervisory approval. Deputies must be prepared to provide emergency care pending the arrival of medical personnel, if not already present.

316.4.2 STABILIZE THE SITUATION

Deputies must quickly assess the situation in an effort to ensure the immediate safety of all persons. Deputies shall also consider taking the following actions:

(a) Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible.

(b) Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence that may change in appearance (e.g., injuries) should be photographed as soon as practicable.

(c) Assess and define the nature of the problem. Deputies should assess the available information to determine the type of abuse that may have taken place or the potential for abuse in the future that may be eliminated by intervention.

(d) Make on-scene arrests when appropriate. Deputies may arrest a person without a warrant when probable cause exists to believe that the person has committed an assault or battery, whether or not the assault or battery has in fact been committed, upon an adult to whom the suspect is related by blood or legal guardianship, provided the arrest is made at the time probable cause arises (Penal Code § 836).

If an arrest is not otherwise required by law, deputies should consider the consequences that the immediate arrest of a sole supporting family caretaker might have on the victim. The decision to arrest should be based on the best interests and caretaking needs of the elderly or dependent adult victim. The present and future safety of the victim is of utmost importance.

316.4.3 SUPPORT PERSONNEL

The following persons should be considered for notification if it appears an in-depth investigation is appropriate:

- Patrol supervisor

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- Detective personnel
- Evidence collection personnel
- Protective Services Agency personnel
- Ombudsman shall be called if the abuse is in a long-term care facility, to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).

316.4.4 EMERGENCY PROTECTIVE ORDERS

In any situation which a deputy reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the deputy may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

316.5 ADULT ABUSE REPORTING

Every allegation of adult abuse shall be documented in a report. When documenting elder/ dependent abuse cases the following information should also be included in the report:

- Current location of the victim
- Victim’s condition/nature and extent of injuries, neglect or loss
- Names of agencies and personnel requested and on scene

Reporting cases of adult abuse is confidential and will only be released in accordance with the Release of Records and Information Policy.

Deputies investigating adult abuse shall complete a State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).

316.6 RECORDS BUREAU RESPONSIBILITIES

The Records Bureau is responsible for:

(a) Providing a copy of the elder or dependent adult abuse report to the APS, ombudsman, or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)). This requirement is applicable even if the initial call was received from Adult Protective Services.

(b) Retaining the original elder or dependent adult abuse report with the initial case file.

316.7 JURISDICTION

The Ventura County Sheriff's Office has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code § 368.5).

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Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and criminal neglect and may assist in criminal investigations upon request, if consistent with federal law, in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).

Additional jurisdiction responsibilities for investigations of abuse involving various facilities and agencies may be found in Welfare and Institutions Code § 15650.

316.8 RELEVANT STATUTES

Penal Code § 288 (a) and Penal Code § 288 (b)(2)

(a) Except as provided in subdivision (i), a person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1 (Of Crimes and Punishments of the Penal Code) upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years.

(b)(2) A person who is a caretaker and commits an act described in subdivision (a) upon a dependent person by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, with the intent described in subdivision (a), is guilty of a felony and shall be punished by imprisonment in the state prison for 5, 8, or 10 years.

Penal Code § 368 (c)

A person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which their person or health may be endangered, is guilty of a misdemeanor.

Penal Code § 368 (f)

A person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

Protections provided by the above Penal Code § 288 and Penal Code § 368 protect many persons with disabilities regardless of the fact they live independently.

Welfare and Institutions Code § 15610.05

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"Abandonment" means the desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody.

Welfare and Institutions Code § 15610.06

"Abduction" means the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, of any elder or dependent adult who does not have the capacity to consent to the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, as well as the removal from this state or the restraint from returning to this state, of any conservatee without the consent of the conservator or the court.

Welfare and Institutions Code § 15610.30

(a) "Financial abuse" of an elder or dependent adult occurs when a person or entity does any of the following:

1. Takes, secretes, appropriates, obtains, or retains real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.
2. Assists in taking, secreting, appropriating, obtaining, or retaining real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.
3. Takes, secretes, appropriates, obtains, or retains, or assists in taking, secreting, appropriating, obtaining, or retaining, real or personal property of an elder or dependent adult by undue influence, as defined in Section 15610.70.

(b) A person or entity shall be deemed to have taken, secreted, appropriated, obtained, or retained property for a wrongful use if, among other things, the person or entity takes, secretes, appropriates, obtains, or retains the property and the person or entity knew or should have known that this conduct is likely to be harmful to the elder or dependent adult.

(c) For purposes of this section, a person or entity takes, secretes, appropriates, obtains, or retains real or personal property when an elder or dependent adult is deprived of any property right, including by means of an agreement, donative transfer, or testamentary bequest, regardless of whether the property is held directly or by a representative of an elder or dependent adult.

(d) For purposes of this section, "representative" means a person or entity that is either of the following:

1. A conservator, trustee, or other representative of the estate of an elder or dependent adult.
2. An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney.

Welfare and Institutions Code § 15610.43

(a) "Isolation" means any of the following:

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1. Acts intentionally committed for the purpose of preventing, and that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls.
2. Telling a caller or prospective visitor that an elder or dependent adult is not present, or does not wish to talk with the caller, or does not wish to meet with the visitor where the statement is false, is contrary to the express wishes of the elder or the dependent adult, whether he or she is competent or not, and is made for the purpose of preventing the elder or dependent adult from having contact with family, friends, or concerned persons.
3. False imprisonment, as defined in Section 236 of the Penal Code.
4. Physical restraint of an elder or dependent adult, for the purpose of preventing the elder or dependent adult from meeting with visitors.

(b) The acts set forth in subdivision (a) shall be subject to a rebuttable presumption that they do not constitute isolation if they are performed pursuant to the instructions of a physician and surgeon licensed to practice. medicine in the state, who is caring for the elder or dependent adult at the time the instructions are given, and who gives the instructions as part of his or her medical care.

(c) The acts set forth in subdivision (a) shall not constitute isolation if they are performed in response to a reasonably perceived threat of danger to property or physical safe.

Welfare and Institutions Code § 15610.57

(a) "Neglect" means either of the following:

1. The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care that a reasonable person in a like position would exercise.
2. The negligent failure of an elder or dependent adult to exercise that degree of self care that a reasonable person in a like position would exercise.

(b) Neglect includes, but is not limited to, all of the following:

1. Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.
2. Failure to provide medical care for physical and mental health needs. A person shall not be deemed neglected or abused for the sole reason that the person voluntarily relies on treatment by spiritual means through prayer alone in lieu of medical treatment.
3. Failure to protect from health and safety hazards.
4. Failure to prevent malnutrition or dehydration.
5. Substantial inability or failure of an elder or dependent adult to manage personal finances.

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6. Failure of an elder or dependent adult to satisfy any of the needs specified in paragraphs (1) to (5), inclusive, for themselves as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health.

(c) Neglect includes being homeless if the elder or dependent adult is also unable to meet any of the needs specified in paragraphs (1) to (5), inclusive, of subdivision (b).

Welfare and Institutions Code § 15610.63

"Physical abuse" means any of the following:

(a) Assault, as defined in Section 240 of the Penal Code.

(b) Battery, as defined in Section 242 of the Penal Code.

(c) Assault with a deadly weapon or force likely to produce great bodily injury, as defined in Section 245 of the Penal Code.

(d) Unreasonable physical constraint, or prolonged or continual deprivation of food or water.

(e) Sexual assault, that means any of the following:

1. Sexual battery, as defined in Section 243.4 of the Penal Code.
2. Rape, as defined in Section 261 of the Penal Code, or former Section 262 of the Penal Code.
3. Rape in concert, as described in Section 264.1 of the Penal Code.
4. Incest, as defined in Section 285 of the Penal Code.
5. Sodomy, as defined in Section 286 of the Penal Code.
6. Oral copulation, as defined in Section 287 or former Section 288a of the Penal Code.
7. Sexual penetration, as defined in Section 289 of the Penal Code.
8. Lewd or lascivious acts as defined in paragraph (2) of subdivision (b) of Section 288 of the Penal Code.

(f) Use of a physical or chemical restraint or psychotropic medication under any of the following conditions:

1. For punishment.
2. For a period beyond that for which the medication was ordered pursuant to the instructions of a physician and surgeon licensed in the State of California, who is providing medical care to the elder or dependent adult at the time the instructions are given.
3. For any purpose not authorized by the physician and surgeon.

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Discriminatory Harassment

317.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

317.2 POLICY

The Ventura County Sheriff's Office is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

317.3 DISCRIMINATION PROHIBITED

317.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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317.3.2 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

317.3.3 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Civil Rights Council guidelines.

(b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with County or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

317.3.4 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

317.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Sheriff, either Assistant Sheriff, or the Human Resources Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

317.4.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Verbally notify his or her manager within 24 hours and submit written documentation surrounding any reported allegations or observed acts of discrimination, harassment or retaliation within three (3) calendar days. The complaint will be further submitted via channels to the Support Services Assistant Sheriff.

317.4.2 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

(a) Behavior of supervisors and managers should represent the values of the Department and professional standards.

(b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

(c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.

(d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline, in a manner that is consistent with established procedures.

317.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate

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any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

317.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor. (Complaints may also be filed with the Sheriff, either Assistant Sheriff, or the Human Resources Bureau Manager.)

Members are advised that any incident of harassment, discrimination, or retaliation will be reported and reviewed by the Support Services Assistant Sheriff even if the member requests that the complaint be kept confidential or if the complaint appears on its face to lack merit

317.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Sheriff, either Assistant Sheriff, or the Human Resources Manager,

317.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

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317.6 NOTIFICATION OF DISPOSITION

Complainant and/or victim will be notified in writing of the disposition of the investigation and action(s) taken to remedy the complaint.

317.7 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented. All reports shall be:

- Reviewed by the Assistant Sheriff of the Support Services Division, and when appropriate, a follow-up investigation shall be initiated. As an additional resource, he/she may confer with the Employee Relations Committee regarding significant issues raised by members.
- Maintained for the period established in the department's records retention schedule.

317.8 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

317.8.1 QUESTIONS REGARDING DISCRIMINATION OR SEXUAL HARASSMENT

Members with questions regarding discrimination or sexual harassment are encouraged to contact a supervisor, manager, or the Sheriff's Human Resources Bureau manager; they may also contact the California Department of Fair Employment and Housing.

317.9 WORKING CONDITIONS

The Administration Division Commander or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other County employees who are similarly tasked (2 CCR 11034).

317.10 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment and transgender rights in a prominent and accessible location for members (Government Code § 12950).

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Child Abuse

318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Ventura County Sheriff's Office members are required to notify the county Child Protective Services (CPS) of suspected child abuse.

318.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child’s care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

318.2 POLICY

The Ventura County Sheriff's Office will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

318.3 MANDATORY NOTIFICATION

The child protection agency shall be notified when (Penal Code § 11166):

(a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or

(b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney’s office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Notification of the District Attorney is not required for reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority. When the alleged abuse or neglect involves a child of a minor parent or a dependent adult, notification shall also be made to the attorney of the minor or the dependent adult within 36 hours (Penal Code 11166.1; Penal Code 11166.2).

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For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable and necessary force used by a peace officer acting within the course and scope of the peace officer's employment as a peace officer.

318.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

(a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.

(b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

318.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

318.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Deputies shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected child abuse victim was contacted.

(b) The exigent circumstances that existed if deputies interviewed the child victim without the presence of a parent or guardian.

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(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant) and Major Crimes will be notified and will respond.

318.5.1 EXTRA JURISDICTIONAL REPORTS

If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax, or electronic transfer to the agency with proper jurisdiction (Penal Code § 11165.9).

318.5.2 INITIAL REPORTS OF ABUSE FROM A NONMANDATED REPORTER

Members who receive a report of child abuse or neglect shall request the following information from the reporter (Penal Code § 11167):

(a) Name and telephone number

(b) Information and the source of information that gives rise to the knowledge or reasonable suspicion of child abuse or neglect

If the reporter refuses to provide their name and telephone number, the member should make a reasonable effort to determine the basis for the refusal and inform them that their information will remain confidential.

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318.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the deputy should make reasonable attempts to contact CPS. Generally, removal of a child from the child's family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from the child's parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the deputy should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the deputy shall ensure that the child is delivered to CPS.

Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The deputy reasonably believes the child is a person described in Welfare and Institutions Code § 300, and further has good cause to believe that any of the following conditions exist:

1. The child has an immediate need for medical care.
2. The child is in immediate danger of physical or sexual abuse.
3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In the case of a child left unattended, the deputy shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

(b) The deputy reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:

1. It reasonably appears to the deputy that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
2. There is no lawful custodian available to take custody of the child.
3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
4. The child is an abducted child.

(c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 (Detainment or concealment of child from legal custodian) or Penal Code § 278.5 (Deprivation of custody of a child or right to visitation) (Penal Code § 279.6).

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A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

318.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW
An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

318.6.2 NEWBORNS TESTING POSITIVE FOR DRUGS
Under certain circumstances, deputies can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.

Deputies shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

318.7 INTERVIEWS

318.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, deputies should record the preliminary interview with suspected child abuse victims. Deputies should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

318.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
A deputy should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the child need to be addressed immediately.
2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

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318.7.3 INTERVIEWS AT A SCHOOL

Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

318.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating deputy should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The deputy should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination. Child Protective Services should also be notified.

318.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

318.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Bureau supervisor should:

(a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when a deputy notifies the Detective Bureau supervisor that the deputy has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

(c) Develop a report format or checklist for use when deputies respond to drug labs or other narcotics crime scenes. The checklist will help deputies document the environmental, medical, social and other conditions that may affect the child.

318.9.2 DEPUTY RESPONSIBILITIES

Deputies responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

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(a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Detective Bureau supervisor so an interagency response can begin.

318.10 STATE MANDATES AND OTHER RELEVANT LAWS

California requires or permits the following:

318.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code § 841.5; Penal Code § 11167.5).

318.10.2 REQUESTS FOR REMOVAL FROM THE CHILD ABUSE CENTRAL INDEX (CACI)

Any person whose name has been forwarded to the California Department of Justice (DOJ) for placement in California's CACI, as a result of an investigation, may request that his/her name be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution that precipitated the entry to CACI (Penal Code § 11169). All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI hearing officer.

318.10.3 CACI HEARING OFFICER

The Detective Bureau supervisor will normally serve as the hearing officer but must not be actively connected with the case that resulted in the person's name being submitted to CACI. Upon receiving a qualified request for removal, the hearing officer shall promptly schedule a hearing to take place during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

318.10.4 CACI HEARING PROCEDURES

The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

(a) Case reports including any supplemental reports

(b) Statements by investigators

(c) Statements from representatives of the District Attorney's Office

(d) Statements by representatives of a child protective agency who may be familiar with the case

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After considering all information presented, the hearing officer shall make a determination as to whether the requesting party's name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person's name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

318.10.5 CHILD DEATH REVIEW TEAM

This department should cooperate with any interagency child death review team investigation. Written and oral information relating to the death of a child that would otherwise be subject to release restrictions may be disclosed to the child death review team upon written request and approval of a supervisor (Penal Code § 11174.32).

318.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting forensic interviews.

(c) Availability of therapy services for children and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to child abuse investigations.

(f) Availability of victim advocate or guardian ad litem support.

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Missing Persons

319.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

319.1.1 DEFINITIONS

At risk - Includes, but is not limited to (Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction. (Refer to the Ventura County Child Abduction Law Enforcement Protocol available in the "Document Library" within the Sheriff's Intranet.)
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person's location is unknown. This includes a child who has been taken, detained, concealed, enticed away, or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily, or under circumstances that do not conform to their ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks that are available to law enforcement and that are suitable for obtaining information related to missing persons investigations. This includes the National Crime Information Center (NCIC), the National Missing and Unidentified Persons System (NamUs, the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS), and the Unidentified Persons System (UPS).

319.2 POLICY

The Ventura County Sheriff's Office does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Ventura County Sheriff's Office gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

319.2.1 DEPUTY RESPONSIBILITIES

Deputies dispatched to a call of a missing person shall immediately proceed to the location. Upon speaking with parties involved and receiving facts of the incident shall contact the watch commander and their patrol sergeant. In discussion with the watch commander it will be evaluated whether the missing person has at-risk factors and if additional resources are necessary.

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A missing person report shall be completed and approved prior to the end of the deputies shift. The deputy handling the missing person shall not respond to or assist other personnel with calls for service or clear the missing person call until his/her report is complete.

In all cases involving missing person or runaways, deputies shall contact the Records Bureau to enter the person into CLETS and NCIC.

Also in all cases where a missing person report is taken, the reporting party shall be provided with a dental release form, which will be submitted with the deputies completed report.

Missing Person Investigative Checklist:

Penal Code 13519.07(b) requires every law enforcement agency to have a Missing Person Investigative Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation.

Our agency has a "Missing Person Investigation Checklist" available in the "Document Library" within the Sheriff's Intranet.

Deputies should use the investigation checklist whenever responding to a missing person report call. The investigative checklist will serve as a guide for deputies to ensure they obtain all the necessary information needed for the report and assist in locating the missing person. At the conclusion of the initial investigation, the deputy completing the missing person report will submit the investigative checklist along with their report.

319.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Major Crimes supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law, and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
- Missing person school notification form
- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

319.4 ACCEPTANCE OF REPORTS

Any employee encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those employees who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert an employee who can take the report.

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A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

319.5 INITIAL INVESTIGATION

Deputies or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a "Be on the Look-Out (BOLO) bulletin" if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).

(e) Ensure that entries are made into the appropriate missing person networks as follows:

1. Immediately, when the missing person is at risk.
2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable according to the facts.

(g) Collect and/or review:

1. A photograph and a fingerprint card of the missing person, if available.
2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
3. Any documents that may assist in the investigation, such as court orders regarding custody.
4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

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319.6 REPORT PROCEDURES AND ROUTING

Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

319.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.

1. The reports should be promptly sent to the Records Bureau.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction. If the investigation was transferred to another agency, the watch commander should be notified.

319.6.2 RECORDS BUREAU RESPONSIBILITIES

The responsibilities of the receiving member shall include but are not limited to:

(a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211).

(b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen (Penal Code § 14211).

(c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.

(d) Forwarding a copy of the report to the Detective Bureau.

(e) Coordinating with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

319.7 DETECTIVE BUREAU FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.

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1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6). An "Emergency School Notification Missing or Abducted Child Alert" form is available in the "Document Library" within the Sheriff's Intranet. It shall be used to notify the school where the missing child is enrolled.
2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.

(b) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update CLETS, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308). All updated information shall be documented on a Supplemental Report and submitted to Sheriff's Records Bureau for CLETS and NCIC entries.

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).

(g) Should make appropriate inquiry with the Medical Examiner.

(h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if not obtained previously and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (34 USC § 41308).

(j) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

(k) NCIC Validation Report is a monthly report audit of missing persons. DOJ requires that investigation and follow-up of missing persons be documented every 30 days and the Sheriff's Office provides a written response to the NCIC Validation report within 10 days. Detectives must complete the Follow-Up Contact on a DOJ Entries Form and actively research and verify the case status and return the completed form to Sheriff's Records. DOJ does not accept searching local systems as due diligence. Investigative efforts must be to research other resources and follow-up with the reporting party.

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319.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Manager shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213):

(a) Notification is made to California DOJ.

(b) The missing person’s school is notified.

(c) Entries are made in the applicable missing person networks.

(d) Immediately notify the Attorney General’s Office.

(e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation within 24 hours.

319.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themself should:

(a) Obtain a complete description of the person.

(b) Enter the unidentified person's description into the NCIC Unidentified Person File and the NamUs database.

(c) Use available resources, such as those related to missing persons, to identify the person.

319.9 CASE CLOSURE

The Detective Bureau supervisor may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed located or evidence has matched an unidentified person or body.

(b) If the Ventura County Sheriff's Office is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified, and entries are made in the applicable missing person networks as appropriate.

(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

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Public Alerts

320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

320.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

320.3 RESPONSIBILITIES

320.3.1 MEMBER RESPONSIBILITIES

Members of the Ventura County Sheriff's Office should notify their supervisor, Watch Commander, or Detective Bureau Supervisor as soon as practicable upon learning of a situation where public notification, a warning, or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

320.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Sheriff, the appropriate Division Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts

(b) Canceling alerts

(c) Ensuring all appropriate reports are completed

(d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

320.4 AMBER ALERTS

The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

320.4.1 CRITERIA FOR AMBER ALERT

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

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(a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.

(b) The victim is 17 years of age or younger, or has a proven mental or physical disability.

(c) The victim is in imminent danger of serious injury or death.

(d) There is information available that, if provided to the public, could assist in the child's safe recovery.

320.4.2 PROCEDURE FOR AMBER ALERT

The supervisor in charge will ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the child:

1. The child's identity, age and description
2. Photograph if available
3. The suspect's identity, age and description, if known
4. Pertinent vehicle description
5. Detail regarding location of incident, direction of travel, potential destinations, if known
6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
7. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).

(c) The press release information is forwarded to the Sheriff's Office Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).

(e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).

(f) The following resources should be considered as circumstances dictate:

1. The local FBI office
2. National Center for Missing and Exploited Children (NCMEC)

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320.5 BLUE ALERTS

Blue Alerts may be issued when a deputy is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

320.5.1 CRITERIA FOR BLUE ALERTS

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

(a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.

(b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.

(c) A detailed description of the suspect's vehicle or license plate is available for broadcast.

(d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

320.5.2 PROCEDURE FOR BLUE ALERT

The supervisor in charge should ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle
2. Photograph, description and/or identification of the suspect
3. The suspect's identity, age and description, if known
4. Detail regarding location of incident, direction of travel, potential destinations, if known
5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
6. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.

(c) The information in the press release is forwarded to the Sheriff's Office Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) The following resources should be considered as circumstances dictate:

1. Entry into the California Law Enforcement Telecommunication System (CLETS)
2. The FBI local office

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320.6 SILVER ALERTS

Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

320.6.1 CRITERIA FOR SILVER ALERTS

All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

(a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.

(b) The department has utilized all available local resources.

(c) The investigating deputy or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

(d) The investigating deputy or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

320.6.2 PROCEDURE FOR SILVER ALERT

Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

320.7 ADDITIONAL ALERTS FOR PUBLIC SAFETY EMERGENCIES

Additional public safety emergency alerts may be authorized that utilize wireless emergency alert system (WEA) and emergency alert system (EAS) equipment for alerting and warning the public to protect lives and save property (Government Code § 8593.7).

320.7.1 CRITERIA

Public safety emergency alerts may be issued to alert or warn the public about events including but not limited to:

(a) Evacuation orders (including evacuation routes, shelter information, key information).

(b) Shelter-in-place guidance due to severe weather.

(c) Terrorist threats.

(d) HazMat incidents.

320.7.2 PROCEDURE

Public safety emergency alerts should be activated by following the guidelines issued by the Office of Emergency Services (Government Code § 8593.7).

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320.8 YELLOW ALERT

A Yellow Alert may be issued when a person is killed due to a hit-and-run incident and the department has specified information concerning the suspect or the suspect's vehicle (Government Code § 8594.15).

320.8.1 CRITERIA FOR YELLOW ALERT

All of the following conditions must be met before activating a Yellow Alert (Government Code § 8594.15):

(a) A person has been killed due to a hit-and-run incident.

(b) There is an indication that a suspect has fled the scene utilizing the state highway system or is likely to be observed by the public on the state highway system.

(c) The department has additional information concerning the suspect or the suspect's vehicle including but not limited to the following:

1. The complete license plate number of the suspect's vehicle.
2. A partial license plate number and additional unique identifying characteristics, such as the make, model, and color of the suspect's vehicle, which could reasonably lead to the apprehension of a suspect.
3. The identity of a suspect.
4. Public dissemination of available information could either help avert further harm or accelerate apprehension of a suspect based on any factor, including but not limited to the time elapsed between a hit-and-run incident and the request or the likelihood that an activation would reasonably lead to the apprehension of a suspect.

320.8.2 PROCEDURE FOR YELLOW ALERT

Requests for a Yellow Alert shall be made through the California Highway Patrol (Government Code § 8594.15).

320.9 FEATHER ALERT

A Feather Alert may be issued when an Indigenous person is reported missing. The determination that criteria has been met for the alert shall be made within 24 hours following the initial report being made to the Department (Government Code § 8594.13).

320.9.1 CRITERIA FOR FEATHER ALERT

The Department may request that a Feather Alert be activated if it is determined that the alert would be an effective tool in the investigation of missing and murdered Indigenous persons, including young women or girls. The following factors shall be considered to make that determination (Government Code § 8594.13):

(a) The missing person is an Indigenous person.

(b) The Department has utilized local and tribal resources.

(c) The investigating deputy has determined the person is missing.

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(d) The investigating deputy or supervisor believes that the person is in danger and missing under circumstances that indicate any of the following:

1. The missing person's physical safety may be endangered.
2. The missing person may be subject to trafficking.
3. The missing person suffers from a mental or physical disability, or substance use disorder.

(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

320.9.2 PROCEDURE FOR FEATHER ALERT

Requests for a Feather Alert shall be made through the California Highway Patrol (Government Code § 8594.13).

320.10 ENDANGERED MISSING ADVISORY

An Endangered Missing Advisory may be requested when a person is reported missing who is developmentally disabled, or cognitively impaired, or has been abducted, or is unable to otherwise care for themselves, placing their physical safety at risk (Government Code § 8594.11).

320.10.1 CRITERIA FOR ENDANGERED MISSING ADVISORY

All of the following conditions must be met before activating an Endangered Missing Advisory (Government Code § 8594.11):

(a) The missing person is developmentally disabled, cognitively impaired, has been abducted or is otherwise unable to care for themselves, placing their physical safety at risk.

(b) The Department has utilized all available local resources.

(c) The investigating deputy has determined the person has gone missing under unexplained or suspicious circumstances.

(d) The investigating deputy or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

320.10.2 PROCEDURE FOR ENDANGERED MISSING ADVISORIES

Requests for an endangered missing advisory shall be made through the California Highway Patrol (Government Code § 8594.11).

320.11 EBONY ALERT

An Ebony Alert may be requested when it is determined the alert would be an effective tool in the investigation of missing Black youth, including a young woman or girl (Government Code § 8594.14).

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320.11.1 CRITERIA FOR EBONY ALERT

The investigating deputy may consider the following factors to make the determination that an Ebony Alert would be an effective tool (Government Code § 8594.14):

(a) The missing person is between the ages of 12 and 25 years old, inclusive.

(b) The missing person is missing under circumstances that indicate their physical safety is endangered or they have been subject to trafficking.

(c) The missing person suffers from a mental or physical disability.

(d) Determination that the person has gone missing under unexplained or suspicious circumstances.

(e) Belief that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(f) The Department has utilized all available local resources.

(g) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

320.11.2 PROCEDURE FOR EBONY ALERT

Requests for an Ebony Alert shall be made through the California Highway Patrol (Government Code § 8594.14).

320.12 LANGUAGE REQUIREMENTS FOR PUBLIC EMERGENCIES

In the event of an emergency, as defined in Government Code § 7299.7, the Ventura County Sheriff's Office shall provide information to the public relating to the emergency in all languages jointly spoken by the local population as provided in Government Code § 7299.7.

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Victim and Witness Assistance

321.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

321.2 POLICY

The Ventura County Sheriff's Office is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Ventura County Sheriff's Office will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

321.3 CRIME VICTIM LIAISON

The Sheriff shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Ventura County Sheriff's Office regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

321.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison is specifically tasked with the following:

(a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim's or derivative victim's designation as a gang member, associate, or affiliate, or on the person's documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).

(b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).

(c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.

(d) Annually providing CalVCB with the crime victim liaison's contact information (Government Code § 13962).

(e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).

1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Ventura County Sheriff's Office jurisdiction (Penal Code § 680.2).

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(f) Providing information required by Penal Code § 679.09 of a deceased minor to a parent or guardian of the minor whose death is being investigated.

1. In cases where the parent or guardian of the deceased minor cannot be located, information required by Penal Code § 679.09 shall be provided to the victim's immediate family, upon their request.

(g) Providing notification to victims of human trafficking or abuse of their right to have a human trafficking advocate and a support person that the victim chooses present during an interview by the Department, prosecutor, or the suspect's defense attorney (Penal Code § 236.21).

321.4 CRIME VICTIMS

Deputies should provide all victims with the applicable victim information handouts.

Deputies should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Deputies should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

321.4.1 VICTIMS OF HUMAN TRAFFICKING

Deputies investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and his/her immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293).

321.5 VICTIM INFORMATION

The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims of domestic violence.

(b) Community resources for victims of sexual assault.

(c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).

(d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).

(e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(f) A clear explanation of relevant court orders and how they can be obtained.

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(g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).

(h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.

(i) Notice regarding U visa and T visa application processes.

(j) Resources available for victims of identity theft.

(k) A place for the deputy's name, badge number, and any applicable case or incident number.

(l) The "Victims of Domestic Violence" card containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).

(m) The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.

(n) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

321.6 WITNESSES

Deputies should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Deputies may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Deputies should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

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Hate Crimes

322.1 PURPOSE AND SCOPE

This policy is designed to assist in identifying and handling crimes motivated by hate or other bias toward individuals and groups with legally defined protected characteristics, to define appropriate steps for assisting victims, and to provide a guide to conducting related investigations. It outlines the general policy framework for prevention, response, accessing assistance, victim assistance and follow-up, and reporting as related to law enforcement's role in handling hate crimes. It also serves as a declaration that hate crimes are taken seriously and demonstrates how the Ventura County Sheriff's Office may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy (Penal Code § 13519.6; Penal Code § 422.87).

322.1.1 DEFINITION AND LAWS

In accordance with Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.6; and Penal Code § 422.87, for purposes of all other state law, unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

Bias motivation - Bias motivation is a pre-existing negative attitude toward actual or perceived characteristics referenced in Penal Code § 422.55. Depending on the circumstances of each case, bias motivation may include but is not limited to hatred, animosity, discriminatory selection of victims, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including but not limited to disability or gender.

Disability - Disability includes mental disability and physical disability as defined in Government Code § 12926, regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Disability bias - In recognizing suspected disability-bias hate crimes, deputies should consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as but not limited to dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore "deserving victims," a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

In recognizing suspected disability-bias hate crimes, deputies should consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes but is not limited to situations where a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons, such as inebriated persons or persons with perceived disabilities different from those of the victim. Such circumstances could be evidence that the perpetrator's

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motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

Gender - Gender means sex and includes a person's gender identity and gender expression.

Gender expression - Gender expression means a person's gender-related appearance and behavior, regardless of whether it is stereotypically associated with the person's assigned sex at birth.

Gender identity - Gender identity means each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender (2 CCR § 11030).

Hate crime - "Hate crime" includes but is not limited to a violation of Penal Code § 422.6, and means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(a) Disability

(b) Gender

(c) Nationality

(d) Race or ethnicity

(e) Religion

(f) Sexual orientation

(g) Association with a person or group with one or more of these actual or perceived characteristics:

1. "Association with a person or group with one or more of these actual or perceived characteristics" includes advocacy for, identification with, or being on the premises owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of the characteristics listed in the definition of "hate crime" under paragraphs 1 to 6, inclusive, of Penal Code § 422.55(a).

Note: A "hate crime" need not be motivated by hate but may be motivated by any bias against a protected characteristic.

Hate incident - A hate incident is an action or behavior motivated by hate or bias but legally protected by the First Amendment right to freedom of expression. Examples of hate incidents include:

- Name-calling
- Insults and epithets
- Distributing hate material in public places

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- Displaying hate material on your own property

Hate speech - The First Amendment to the U.S. Constitution protects most speech, even when it is disagreeable, offensive, or hurtful. The following types of speech are generally not protected:

- Fighting words
- True threats
- Perjury
- Blackmail
- Incitement to lawless action
- Conspiracy
- Solicitation to commit any crime

In whole or in part - "In whole or in part because of" means that the bias motivation must be a cause in fact of the offense whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that a crime would not have been committed but for the actual or perceived characteristic.

Nationality - Nationality means country of origin, immigration status, including citizenship, and national origin.

Race or ethnicity - Race or ethnicity includes ancestry, color, and ethnic background.

Religion - Religion includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

Religious bias - In recognizing suspected religion-bias hate crimes, deputies should consider whether there were targeted attacks on, or biased references to, symbols of importance to a particular religion or articles considered of spiritual significance in a particular religion (e.g., crosses, hijabs, Stars of David, turbans, head coverings, statues of the Buddha).

Sexual orientation - Sexual orientation means heterosexuality, homosexuality, or bisexuality.

Victim - Victim includes but is not limited to:

- Community center
- Educational facility
- Entity
- Family
- Group
- Individual
- Office

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- Meeting hall
- Person
- Place of worship
- Private institution
- Public agency
- Library
- Other victim or intended victim of the offense

322.2 POLICY

It is the policy of this department to safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority.

This department will employ reasonably available resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this department should take all reasonable steps to attend to the security and related concerns of the immediate victims and their families as feasible.

All deputies are required to be familiar with the policy and use reasonable diligence to carry out the policy unless directed by the Sheriff or other command-level officer to whom the Sheriff formally delegates this responsibility.

322.3 PLANNING AND PREVENTION

In order to facilitate the guidelines contained within this policy, department members will continuously work to build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Department personnel are also encouraged to learn about the inherent issues concerning their communities in relation to hate crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Hate incidents should be investigated and documented as part of an overall strategy to prevent hate crimes.

322.3.1 HATE CRIMES COORDINATOR

A department member appointed by the Sheriff or the authorized designee will serve as the Hate Crimes Coordinator. The responsibilities of the Hate Crimes Coordinator should include but not be limited to (Penal Code § 422.87):

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(a) Meeting with residents in target communities to allay fears; emphasizing the department's concern over hate crimes and related incidents; reducing the potential for counter-violence; and providing safety, security, and crime-prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.

(b) Finding, evaluating, and monitoring public social media sources to identify possible suspects in reported hate crimes; to identify suspects or suspect groups in future hate crimes or hate incidents affecting individuals, groups, or communities that may be victimized; and to predict future hate-based events.

(c) Providing direct and referral assistance to the victim and the victim's family.

(d) Conducting public meetings on hate crime threats and violence in general.

(e) Establishing relationships with formal community-based organizations and leaders.

(f) Expanding, where appropriate, preventive programs such as hate, bias, and crime-reduction seminars for students.

(g) Reviewing the Attorney General's latest opinion on hate crime statistics and targets in order to prepare and plan for future crimes, specifically for Arab, Middle Eastern, Islamic, lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ), Black, Native American, immigrant, Jewish, Asian American, and Pacific Islander communities (Penal Code § 13519.6(b)(8)).

(h) Providing orientation of and with communities of specific targeted victims such as immigrant, Muslim, Arab, LGBTQ, Black or African-American, Jewish, and Sikh persons and persons with disabilities.

(i) Coordinating with the Training Sergeant to develop a schedule of required hate-crime training and include in a training plan recognition of hate crime bias characteristics, including information on general underreporting of hate crimes.

(j) Verifying a process is in place to provide this policy and related orders to deputies in the field and taking reasonable steps to rectify the situation if such a process is not in place.

(k) Taking reasonable steps to ensure hate crime data is provided to the Records Bureau for mandated reporting to the California Department of Justice.

    1. Ensure the California Department of Justice crime data is posted monthly on the department website (Penal Code § 13023).

(l) Reporting any suspected multi-mission extremist crimes to the department Terrorism Liaison Officer, the assigned designee, or other appropriate resource; and verifying that such data is transmitted to the Joint Regional Information Exchange System in accordance with the protocols of the Records Bureau Policy.

(m) Maintaining the department's supply of up-to-date hate crimes brochures (Penal Code § 422.92; Penal Code § 422.87).

(n) Submitting required hate crime materials to the California Department of Justice in accordance with the timeline established by state law (Penal Code § 13023).

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(o) Annually assessing this policy, including:

1. Keeping abreast of POST model policy framework for hate crimes for revisions or additions, including definitions, responsibilities, training resources, the supplemental hate crime report, and planning and prevention methods.
2. Analysis of the department's data collection as well as the available outside data (e.g., annual California Attorney General's report on hate crime) in preparation for and response to future hate crimes.

322.3.2 RELEASE OF INFORMATION

Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure often assists greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:

(a) Dissemination of correct information.

(b) Assurance to affected communities or groups that the matter is being properly and promptly investigated.

(c) The ability to request information regarding the commission of the crimes from the victimized community.

Information or records relating to hate crimes subject to public disclosure shall be released as provided by the Records Maintenance and Release Policy or as allowed by law. In accordance with the Media Relations Policy, the supervisor, public information officer, or the authorized designee should be provided with information that can be responsibly reported to the media. When appropriate, the department spokesperson should reiterate that hate crimes will not be tolerated, will be investigated seriously, and will be prosecuted to the fullest extent of the law.

The Department should consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

- Inform community organizations in a timely manner when a community group has been the target of a hate crime.
- Inform the community of the impact of these crimes on the victim, the victim’s family, and the community, and of the assistance and compensation available to victims.
- Inform the community regarding hate crime law and the legal rights of, and remedies available to, victims of hate crimes.
- Provide the community with ongoing information regarding hate crimes and/or hate incidents.

322.4 RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP

322.4.1 INITIAL RESPONSE

First responding deputies should know the role of all department personnel as they relate to the department's investigation of hate crimes and/or incidents. Responding deputies should evaluate

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the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.

At the scene of a suspected hate or bias crime, deputies should take preliminary actions reasonably deemed necessary, including but not limited to the following:

(a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime (see Appendix).

(b) Stabilize the victims and request medical attention when necessary.

(c) Properly protect the safety of victims, witnesses, and perpetrators.

    1. Assist victims in seeking a Temporary Restraining Order (if applicable).

(d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(e) Properly protect, preserve, and process the crime scene, and remove all physical evidence of the incident as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the property owner should be contacted to facilitate removal or covering as soon as reasonably possible. Department personnel should follow up with the property owner to determine if this was accomplished in a timely manner.

(f) Collect and photograph physical evidence or indicators of hate crimes such as:

    1. Hate literature.

    2. Spray paint cans.

    3. Threatening letters.

    4. Symbols used by hate groups.

(g) Identify criminal evidence on the victim.

(h) Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.

(i) Conduct a preliminary investigation and record pertinent information including but not limited to:

    1. Identity of suspected perpetrators.

    2. Identity of witnesses, including those no longer at the scene.

    3. The offer of victim confidentiality per Government Code § 7923.615.

    4. Prior occurrences in this area or with this victim.

    5. Statements made by suspects; exact wording is critical.

    6. The victim's protected characteristics and determine if bias was a motivation "in whole or in part" in the commission of the crime.

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(j) Adhere to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law.

(k) Provide information regarding immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(l) Provide the department's Hate Crimes Brochure (per Penal Code § 422.92) if asked, if necessary, or per policy.

(m) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

(n) Document any suspected multi-mission extremist crimes.

322.4.2 INVESTIGATION

Investigators at the scene of, or performing follow-up investigation on, a suspected hate or bias crime or hate incident should take all actions deemed reasonably necessary, including but not limited to the following:

(a) Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).

(b) Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.

(c) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

(d) Properly investigate any report of a hate crime committed under the color of authority per Penal Code § 422.6 and Penal Code § 13519.6.

(e) Document physical evidence or indicators of hate crimes, in accordance with the provisions of the Property and Evidence Policy, such as:

1. Hate literature.
2. Spray paint cans.
3. Threatening letters.
4. Symbols used by hate groups.
5. Desecration of religious symbols, objects, or buildings.

(f) Request the assistance of translators or interpreters when needed to establish effective communication.

(g) Conduct a preliminary investigation and record information regarding:

1. Identity of suspected perpetrators.
2. Identity of witnesses, including those no longer at the scene.
3. Offer of victim confidentiality per Government Code § 7923.615.

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4. Prior occurrences, in this area or with this victim.
5. Statements made by suspects; exact wording is critical.
6. Document the victim's protected characteristics.

(h) Provide victim assistance and follow-up.

(i) Canvass the area for additional witnesses.

(j) Examine suspect's social media activity for potential evidence of bias motivation.

(k) Coordinate the investigation with department, state, and regional intelligence operations. These sources can provide the investigator with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.

(l) Coordinate the investigation with the crime scene investigation unit (if applicable) or other appropriate units of the Department.

(m) Determine if the incident should be classified as a hate crime.

(n) Take reasonable steps to provide appropriate assistance to hate crime victims, including the following measures:

1. Contact victims periodically to determine whether they are receiving adequate and appropriate assistance.
2. Provide ongoing information to victims about the status of the criminal investigation.
3. Provide victims and any other interested persons the brochure on hate crimes per Penal Code § 422.92 and information on any local advocacy groups (if asked).

(o) Document any suspected multi-mission extremist crimes.

(p) Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents, and determine if organized hate groups are involved.

322.4.3 SUPERVISION

The supervisor shall confer with the initial responding deputy and take reasonable steps to ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

(a) Provide immediate assistance to the crime victim by:

1. Expressing the department's official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.
2. Expressing the department's interest in protecting victims' anonymity (confidentiality forms, Government Code § 7923.615) to the extent reasonably possible. Allow the victims to convey their immediate concerns and feelings.
3. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy, or a department chaplain, as well as community service

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agencies that provide shelter, food, clothing, child care, or other related services (per Penal Code § 422.92).

(b) Take reasonable steps to ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.

(c) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(d) In cases of large-scale hate crime waves, or in circumstances where the potential exists for subsequent hate crimes or incidents, consider directing resources to protect vulnerable sites (such as assigning a deputy to specific locations that could become targets).

(e) Verify hate crimes are being properly reported, including reporting to the Department of Justice, pursuant to Penal Code § 13023.

(f) Verify adherence to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law. Supervisors should also be aware of the immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(g) Respond to and properly initiate an investigation of any reports of hate crimes committed under the color of authority.

(h) Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For additional information refer to the California Department of Justice website.

(i) Verify reporting of any suspected multi-mission extremist crimes to the agency Hate Crimes Coordinator.

(j) Make a final determination as to whether the incident should be classified as a hate crime and forward to the Sheriff for approval.

322.5 TRAINING

All members of this department will receive POST-approved training on hate crime recognition and investigation (Penal Code § 13519.6).

Training should include (Penal Code § 422.87):

(a) Recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group, including disability bias, gender bias, and religion bias.

(b) Accurate reporting by deputies, including information on the general underreporting of hate crimes.

(c) Distribution of hate crime brochures.

(d) When a gun violence restraining order may be appropriate for prevention of hate crimes (Penal Code § 13519.6).

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322.6 APPENDIX

See attachments:

Statutes and Legal Requirements.pdf

Hate Crime Checklist.pdf

Supplemental Hate Crime Report.pdf

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Temporary Custody of Juveniles

323.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Ventura County Sheriff's Office (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

323.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for the juvenile's own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for the juvenile's protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person. Juveniles 11 years of age or younger are considered juvenile non-offenders even if they have committed an offense that would subject an adult to arrest.

Juvenile offender - A juvenile 12 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (Welfare and Institutions Code § 602). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of a deputy or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1; 15 CCR 1150).

Safety checks - Direct, visual observation personally by a member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

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(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

(d) A juvenile being processed in a secure booking area when a non-secure booking area is available.

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact that is more than brief or inadvertent.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601 and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

323.2 POLICY

The Ventura County Sheriff's Office is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Ventura County Sheriff's Office. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

323.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Ventura County Sheriff's Office:

(a) Unconscious

(b) Seriously injured

(c) A known suicide risk or obviously severely emotionally disturbed

(d) Significantly intoxicated except when approved by the Watch Commander. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol, or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).

(e) Extremely violent or continuously violent

Deputies taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

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These juveniles should not be held at the Ventura County Sheriff's Office unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).

If the deputy taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed (15 CCR 1142).

323.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile, medical assistance will be called immediately. The Watch Commander shall be notified of the need for medical attention for the juvenile. Department members should administer first aid as applicable (15 CCR 1142).

323.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill themself, or any unusual behavior which may indicate the juvenile may harm themself while in either secure or non-secure custody (15 CCR 1142).

323.4 CUSTODY OF JUVENILES

Deputies should take custody of a juvenile and temporarily hold the juvenile at the Ventura County Sheriff's Office when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Ventura County Sheriff's Office without authorization of the arresting deputy's supervisor or the Watch Commander. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of the juvenile's entry into the Ventura County Sheriff's Office (34 USC § 11133; Welfare and Institutions Code § 207.1).

323.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Ventura County Sheriff's Office. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (34 USC § 11133; Welfare and Institutions Code § 206).

Juveniles 11 years of age or younger who have committed an offense that would subject an adult to arrest may be held in non-secure custody for the offenses listed in Welfare and Institutions Code § 602(b) (murder and the sexual assault offenses) and should be referred to a probation officer for a placement determination (Welfare and Institutions Code § 602.1).

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323.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, deputies may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).

323.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Ventura County Sheriff's Office unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and taken into custody for committing or attempting to commit a felony with a firearm shall not be released and be transported to a juvenile facility (Welfare and Institutions Code § 625.3).

A juvenile offender suspected of committing murder, a sex offense described in Welfare and Institutions Code § 602(b) that may subject the juvenile to criminal jurisdiction under Welfare and Institutions Code § 707, or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

(a) Released upon warning or citation.

(b) Released to a parent or other responsible adult after processing at the Department.

(c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.

(d) Transported to the juvenile offender's home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating deputy or supervisor shall prefer the alternative that least restricts the juvenile's freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the deputy should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

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323.5 ADVISEMENTS

Deputies shall take immediate steps to notify the juvenile's parent, guardian, or a responsible relative that the juvenile is in custody, the location where the juvenile is being held, and the intended disposition (Welfare and Institutions Code § 627).

Whenever a juvenile is taken into temporary custody, the juvenile shall be given the *Miranda* rights advisement regardless of whether questioning is intended. This does not apply to juvenile non-offenders taken into temporary custody for their safety or welfare (Welfare and Institutions Code § 625).

Anytime a juvenile offender is placed in secure custody, the juvenile offender shall be informed of the purpose of the secure custody, the length of time the secure custody is expected to last, and of the maximum six-hour limitation (Welfare and Institutions Code § 207.1).

Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to their parent or guardian; one to a responsible relative or their employer; and another call completed to an attorney. The calls shall be at no expense to the juvenile when completed to telephone numbers within the local calling area. Juveniles should be asked whether they are a caregiver and provided two more phone calls in the same manner as provided to adults in the Temporary Custody of Adults Policy (Welfare and Institutions Code § 627; Penal Code § 851.5).

323.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile.

(b) Date and time of arrival and release from the Ventura County Sheriff's Office (15 CCR 1150).

(c) Watch Commander notification and approval to temporarily hold the juvenile.

(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.

(e) Any changes in status (e.g., emergency situations, unusual incidents).

(f) Time of all safety checks.

(g) Any medical and other screening requested and completed (15 CCR 1142).

(h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1(d); 15 CCR 1145).

(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Patrol Sergeant shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

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323.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Welfare and Institutions Code § 207.1; Welfare and Institutions Code § 208; 15 CCR 1144). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Ventura County Sheriff's Office (trained in the supervision of persons in custody) shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact (15 CCR 1144).

323.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Ventura County Sheriff's Office shall ensure the following:

(a) The Watch Commander should be notified if it is anticipated that a juvenile may need to remain at the Ventura County Sheriff's Office more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the Ventura County Sheriff's Office more than six hours.

(b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(c) Personal safety checks and significant incidents/activities shall be noted on the log.

(d) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.

    1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.

    2. This does not apply to surreptitious and legally obtained recorded interrogations.

(e) Juveniles shall have reasonable access to toilets and wash basins (15 CCR 1143).

(f) Juveniles shall be provided sanitary napkins, panty liners, and tampons as requested (15 CCR 1143).

(g) Food shall be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile (15 CCR 1143).

(h) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).

(i) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(j) Juveniles shall have privacy during family, guardian, and/or lawyer visits (15 CCR 1143).

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(k) Juveniles shall be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody (15 CCR 1143).

(l) Blankets shall be provided as reasonably necessary (15 CCR 1143).

1. The supervisor should ensure that there is an adequate supply of clean blankets.

(m) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.

(n) Juveniles shall have adequate furnishings, including suitable chairs or benches.

(o) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.

(p) Juveniles shall have access to language services (15 CCR 1143).

(q) Juveniles shall have access to disability services (15 CCR 1143).

(r) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse (15 CCR 1142).

While held in temporary custody, juveniles shall be informed in writing of what is available to them pursuant to 15 CCR 1143 and it shall be posted in at least one conspicuous place to which they have access (15 CCR 1143).

323.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Ventura County Sheriff's Office when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening (15 CCR 1142).

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Watch Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others (15 CCR 1142).

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse (15 CCR 1142).

323.10 JUVENILE CONTACTS AT SCHOOL FACILITIES

Absent exigent circumstances, deputies should make every reasonable effort to notify responsible school officials prior to contacting a student on campus while school is in session.

(a) Reasonable efforts should be taken to coordinate with school officials to minimize disruption of school functions and maintain a low profile police presence when contacting a student.

(b) Whenever circumstances warrant the temporary detention or formal interview of a juvenile student on campus, the deputy should:

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1. (a) When practical and when it would not unreasonably interfere with the investigation, take reasonable steps to notify a parent, guardian, or responsible adult, including those phone numbers listed on any contact card on file with the school or provided by the student. All efforts to make contact with parents and/or reasons contact was not attempted should be documented.

   (b) If efforts to contact a parent, guardian or responsible adult are unsuccessful or not attempted, a formal interview with the juvenile may proceed without them. Upon the request of the juvenile, a school official or lawyer may be present during the interview in lieu of a parent.

   (c) If contacted, the selected parent, other responsible adult, or school official may be permitted to be present during any interview.

      1. An adult suspected of child abuse or other criminal activity involving the juvenile, or an adult, who in the opinion of the deputy appears to be under the influence or otherwise unable or incompetent to exercise parental rights on behalf of the juvenile, will not be permitted to be present.

      2. If the deputy reasonably believes that exigent circumstances exist which would materially interfere with the deputy's ability to immediately interview the juvenile, the interview may proceed without the parent or other responsible adult. In such circumstances, the exigent circumstances should be set forth in a related report.

(c) Any juvenile should who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present. The purpose of the staff member's presence is to provide comfort and support and such staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

Absent exigent circumstances or authority of a court order, deputies should not involuntarily detain a juvenile who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian. In all such cases deputies should adhere to guidelines and requirements set forth in the Child Abuse Reporting policy.

323.11 PERSONAL PROPERTY

The deputy taking custody of a juvenile offender or status offender at the Ventura County Sheriff's Office shall ensure a thorough search of the juvenile’s property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils, and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile’s presence and sealed into the bag. The property should be kept in a

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monitored or secure location until the juvenile is released from the custody of the Ventura County Sheriff's Office.

323.12 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody (Welfare and Institutions Code § 207; 15 CCR 1145). Watch Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to themselves or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to themselves or others include the following (15 CCR 1145):

(a) Age, maturity, and delinquent history

(b) Severity of offense for which the juvenile was taken into custody

(c) The juvenile offender's behavior

(d) Availability of staff to provide adequate supervision or protection of the juvenile offender

(e) Age, type, and number of other individuals in custody at the facility

Members of this department shall not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option (15 CCR 1145).

When practicable and when no locked enclosure is available, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object (15 CCR 1148).

Juveniles shall not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter (15 CCR 1148). Supervisor approval should be documented.

The decision for securing a minor to a stationary object for longer than 60 minutes and every 30 minutes thereafter shall be based upon the best interests of the juvenile offender (15 CCR 1148).

323.12.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.

(b) Juveniles shall have constant auditory access to department members (15 CCR 1147).

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(c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1).

(d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).

1. All safety checks shall be logged.
2. The safety check should involve questioning the juvenile as to the juvenile's well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
3. Requests or concerns of the juvenile should be logged.

(e) Juveniles of different genders shall not be placed in the same locked room (15 CCR 1147).

(f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).

(g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

323.13 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Watch Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Ventura County Sheriff's Office (15 CCR 1142; 15 CCR 1047). The procedures will address:

(a) Immediate notification of the on-duty supervisor, Sheriff, and Major Crimes Division Supervisor.

(b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.

(c) Notification of the appropriate prosecutor.

(d) Notification of the County attorney.

(e) Notification to the coroner.

(f) Notification of the juvenile court.

(g) In the case of a death, providing a report to the Attorney General under Government Code § 12525 within 10 calendar days of the death, and forwarding the same report to the Board of State and Community Corrections (BSCC) within the same time frame (15 CCR 1046).

(h) A medical and operational review of deaths pursuant to 15 CCR 1046.

1. A copy of the review report shall be provided to BSCC within 60 days of the death (15 CCR 1046).

(i) Evidence preservation.

323.13.1 IN-CUSTODY DEATH PUBLICATION

The Sheriff or the authorized designee should ensure that specified information relating to an in-custody death of a juvenile is posted on the department website as prescribed and within the time frames provided in Penal Code § 10008.

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323.14 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

Prior to conducting a custodial interrogation, including the waiver of *Miranda* rights, a deputy shall permit a juvenile 17 years of age or younger to consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived by the juvenile (Welfare and Institutions Code § 625.6).

Threats, physical harm, deception, or psychologically manipulative interrogation tactics shall not be used by a deputy during a custodial interrogation of a juvenile (Welfare and Institutions Code § 625.7).

The requirements to consult with legal counsel or to refrain from the use of prohibited interrogation techniques do not apply when (Welfare and Institutions Code § 625.6; Welfare and Institutions Code § 625.7):

(a) Information is necessary to protect life or property from an imminent threat.

    1. The questions are limited to what is reasonably necessary to obtain the information relating to the threat.

323.14.1 MANDATORY RECORDINGS OF JUVENILES

Any interrogation of an individual under 18 years of age who is in custody and suspected of committing murder shall be audio and video recorded when the interview takes place at a department facility, jail, detention facility, or other fixed place of detention. The recording shall include the entire interview and a Miranda advisement preceding the interrogation (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.

(b) The individual refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.

(c) The custodial interrogation took place in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.

(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of a deputy, the individual being interrogated or another individual. Such circumstances shall be documented in a report.

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(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

These recordings shall be retained until a conviction is final and all direct and habeas corpus appeals are exhausted, a court no longer has any jurisdiction over the individual or the prosecution for that offense is barred (Penal Code § 859.5; Welfare and Institutions Code § 626.8).

323.15 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Members of this department shall not divulge any information regarding juveniles unless they are certain of the legal authority to do so.

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Manager and the appropriate Detective Bureau supervisors to ensure that personnel of those bureaus act within legal guidelines.

323.16 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION

The Patrol Division Commander shall coordinate the procedures related to the custody of juveniles held at the Ventura County Sheriff's Office and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

323.17 TRAINING

Department members should be trained on and familiar with this policy and any supplemental procedures.

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Disciplinary Policy

324.1 PURPOSE AND SCOPE

Discipline is defined as "that force which prompts an individual or group to observe rules, regulations and procedures that are deemed necessary to the attainment of an objective." The maintenance of effective discipline is essential to control performance, to promote the efficiency and satisfactory attainment of objectives, and the fulfillment of the Mission Statement and Core Values.

Disciplinary procedures have been established to insure that:

- Every member of the department may be confident that while proper performance of duty will be insisted upon, at the same time, due recognition of an individual's rights shall be assured.
- Complaints, grievances or alleged abused of authority involving any member will be fully and fairly investigated.
- Managers or supervisors will enforce rules prescribed by the Sheriff to effectively correct conduct and accomplish acceptable behavior.
- Equitable and consistent procedures for initiating and administering disciplinary actions are provided.
- Disciplinary actions shall be taken without prejudice.

324.2 DISCIPLINE POLICY

The continued employment of every employee of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any employee to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

An employee's off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee's ability to perform official duties or to the extent that it may be indicative of unfitness for his/her position.

324.2.1 VIOLATION OF RULES AND POLICIES

Each member is subject to discipline for violation of policies, rules, and regulations of the County of Ventura, and/or statutory law. No arbitrary rules of conduct can be established which would embrace all cases arising in the general discharge of assigned duties or in the personal activities of the individual member. Therefore, any failure of good behavior or acts that are incompatible with or inimical to the public service shall also be the subject of disciplinary action.

324.3 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint policy. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one year of the discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions.

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324.3.1 COUNSELING/DIVISIONAL PERSONNEL REPORT

In the event a member's performance is unsatisfactory or needs improvement, informal counseling shall be provided. If documentation of the counseling is prepared, it shall be done in the form of a Divisional Personnel Report (DPR). The member will be provided a copy that will be maintained for up to one year in the member's divisional personnel file or until the completion of their next annual performance appraisal. Additionally, counseling memos/DPRs shall not make reference to future disciplinary action (Otto v. Los Angeles Unified School District, 89 Cal. App. 4th 985). The DPR shall not be placed in a member's official Sheriff's Office or County Human Resources personnel file. Remedial training may be included in this category.

324.3.2 WRITTEN REPRIMANDS ISSUANCE

If discipline is administered in the form of a written reprimand, a copy will be provided to the member and will be maintained for two years in the member's Sheriff's Office and County Human Resources personnel files. If no additional discipline has been imposed during the intervening period, the reprimand shall be removed from the employee's files at the end of two years upon written request by the employee.

APPEAL

A member may dispute a written reprimand. Generally, the initial step for disputing a written reprimand is considered informal and provides an opportunity to meet and discuss the concerns with a department designated representative. If it is not considered resolved at this initial step, then the member may prepare a formal written appeal or grievance and proceed through any additional steps as delineated in the respective member's Memorandum of Agreement (M.O.A.)

Any employee wishing to formally appeal a written reprimand must submit a written request to his/her assistant sheriff within ten days of receipt of the written reprimand. The assistant sheriff will then assign the appeal to an uninvolved supervisor of at least one rank above the rank of the supervisor issuing the original written reprimand. Absent a written stipulation to the contrary, the employee will be provided with an evidentiary hearing before the assigned, uninvolved supervisor within 30 days. The decision of the assigned, uninvolved supervisor to sustain, modify or dismiss the written reprimand shall be considered final.

324.3.3 REDUCTION IN PAY

A temporary reduction of the member's pay by either 2.5% or 5% for a period of time not to exceed thirteen (13) pay periods for any one offense.

324.3.4 SUSPENSION

A suspension is the temporary removal of a member from duty, without pay. A suspension cannot exceed thirty (30) calendar days.

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324.3.5 DEMOTION

A member may be demoted to a classification that has a lower pay range than the position currently occupied. A demotion is a permanent loss of rank/class with a resulting permanent loss of wages. The compensation of the demoted member shall be adjusted downward to a salary in the range of the position to which the member has been demoted.

324.3.6 DISMISSAL

Termination of employment from the Ventura County Sheriff's Office.

324.4 POST INVESTIGATION PROCEDURES

324.4.1 DEPARTMENT RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the department shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The Support Services Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

(a) Prior to forwarding recommendations to the Sheriff, or his designee, the Support Services Commander may return the entire investigation to the assigned detective or supervisor for further investigation or action

(b) When forwarding any written recommendation, the Support Services Commander shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

324.4.2 RESPONSIBILITIES OF THE SHERIFF

Upon receipt of any written recommendation for disciplinary action, the Sheriff or designee shall review the recommendation and all accompanying materials.

The Sheriff or designee may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Sheriff or designee is satisfied that no further investigation or action is required by staff, the Sheriff shall determine the amount of discipline, if any, to be recommended.

In the event disciplinary action is recommended, the Sheriff shall provide the employee with written (*Skelly*) notice of the following information within one year of the date of the discovery of the alleged misconduct by a person authorized to initiate an investigation of the allegation of an act, omission, or other misconduct (absent an exception set forth in Government Code § 3304(d) or Government Code § 3508.1):

(a) Specific charges set forth in separate counts, describing the conduct underlying each count.

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(b) A separate recommendation of proposed discipline for each charge.

(c) A statement that the employee has been provided with or given access to all of the materials considered by the Sheriff in recommending the proposed discipline.

(d) An opportunity to respond orally or in writing to the Sheriff within five days of receiving the *Skelly* notice.

1. Upon a showing of good cause by the employee, the Sheriff may grant a reasonable extension of time for the employee to respond.
2. If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

324.5 EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Sheriff after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) This *Skelly* response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the *Skelly* response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Sheriff to consider.

(d) In the event that the Sheriff elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Sheriff on the limited issues of information raised in any subsequent materials.

(f) Once the employee has completed his/her *Skelly* response or, if the employee has elected to waive any such response, the Sheriff shall consider all information received in regard to the recommended discipline. Once the Sheriff determines that discipline will be imposed, a timely written decision shall be provided to the employee within 30 days, imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reason for termination and the process to receive all remaining fringe and retirement benefits.

(g) Once the Sheriff has issued a written decision, the discipline shall become effective.

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324.6 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

324.7 POST SKELLY PROCEDURE

In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Sheriff's imposition of discipline pursuant to the operative Memorandum of Agreement (MOA) and personnel rules.

324.8 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal and the following shall be considered:

(a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee's personnel file.

(b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the Skelly procedure as set forth above. This appeal process may be held prior to or within a reasonable time after the imposition of discipline.

(c) At all times during any investigation of allegations of misconduct involving a probationary deputy, such deputy shall be afforded all procedural rights set forth in Government Code § 3303 and applicable department policies.

(d) A probationary employee's appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee's continuation of employment.

(e) The burden of proof for any probationary employee's appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence.

(f) In the event that a probationary employee meets his or her burden of proof in such a disciplinary appeal, the department shall remove all reference to the underlying allegations of misconduct from the employee's personnel file.

(g) In the event that a probationary employee fails to meet his or her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Sheriff.

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Conduct and Ethics

325.1 PURPOSE AND SCOPE

To establish the rules for work performance and the conduct and ethics essential to ensure public trust, employee safety, efficiency and integrity.

325.2 DUTY

It shall be the duty of every member of the Ventura County Sheriff's Office to conduct themselves in an ethical manner and to perform their duties in a manner consistent with the Law Enforcement Code of Ethics.

325.3 MISCONDUCT - DEFINED

(a) Commission of a criminal offense

(b) Neglect duty

(c) Violation of department / county policies, rules or procedures

(d) Conduct that may tend to reflect unfavorably upon the employee or the department

325.4 COMPLIANCE WITH RULES AND POLICIES

(a) It shall be the duty of every member of the department to be thoroughly familiar with the provisions of department and county policies. Members shall conform to and abide by these orders, observe all applicable state/federal laws and county/city ordinances, and render their services to the county with enthusiasm, courage, discretion and loyalty.

1. "Member" is defined as any individual working for the Sheriff's Office in any capacity including sworn, professional staff, volunteer or contract employees.

(b) Any order issued over the signature or name of the Sheriff shall have the same effect and be construed the same as a part of the rules and policies of the department.

(c) An order issued by an assistant sheriff or bureau commander pertaining to the personnel of their particular command shall be construed as a rule or policy of that command. Orders issued by civilian managers pertaining to the personnel under their authority shall be construed in a similar manner.

(d) Members shall adhere to the policies or rules of the department or county.

(e) A supervisor, manager or commanding officer shall take appropriate action when apprised of a potential violation of these polices or of any other misconduct.

325.5 DISCHARGE OF DUTIES

(a) Sworn members shall preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property, and enforce those laws of the State

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of California, and the ordinances of the County of Ventura which the department is required to enforce by law or policy.

(b) Members shall perform all duties and responsibilities as required by specific assignment and as required by proper authority.

(c) Members shall treat all fellow employees and members of the public professionally and with respect regardless of the individual's race, color, national origin or ancestry, sex (including gender and pregnancy), age, physical or mental disability, medical condition, religious creed, marital status, sexual orientation (including heterosexuality, homosexuality, and bisexuality), citizenship status, uniformed service member status, or genetic characteristics.

(d) Members shall discharge their duties in a non-emotional and firm manner, and act together to assist and protect each other in service to the public and the maintenance of law and order.

(e) Members shall direct and coordinate their efforts in a manner that will establish and maintain the highest standard of efficiency.

(f) Members shall be unwavering in the performance of their duties, acting in a manner that brings credit and distinction upon themselves and the department, while assuming responsibility and exercising diligence, intelligence and interest in the pursuit of their duties.

(g) Whenever operationally appropriate, members shall have regular hours assigned to them for active duty and when not so engaged they shall be considered "off duty." They may, however, be ordered to duty as needed. When "off duty" members shall take appropriate police action on any matter coming to their attention.

(h) When possessing legitimate authority and sufficient means, members shall take proper action in any situation requiring police attention within a reasonable time after arriving on the scene.

(i) Members shall display courage and support their fellow officers in the performance of duty.

(j) Members shall always remain awake and alert while on duty.

(k) Members shall not loiter in, or about, business establishments while on duty.

(l) Members shall treat all people and animals humanely and will render and provide the necessary humane action which the circumstances may require.

(m) Members shall be firm, resolute, and energetic, when performing their duties. When the use of force becomes necessary, only reasonable force shall be used as outlined in the Use of Force policy.

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(n) Members shall refuse, and report to their supervisor as soon as practical any bribes or offers to engage in any acts of extortion or other unlawful means of obtaining money or property through their position with the department.

(o) Members shall refuse any reward for the performance of their duties, and shall not seek, ask or accept a gratuity of any kind. While off-duty, members shall not use their position to seek, ask or accept a gratuity of any kind.

(p) Members shall refuse to accept, directly or indirectly, from any person under investigation, or in custody, or after discharge from custody, or from any friend or friends of any such person, any gratuity, fee, loan, reward, or gift whatsoever.

(q) Members shall not recommend or suggest to anyone the employment or name of any person, firm or corporation, as attorney, counsel or bondsman. Nothing herein shall be construed as restricting the rights of members of the department in connection with the administration of their private affairs.

(r) While on duty, members shall refrain from making comments or statements that compromise the public trust or the professional image of the Sheriff's Office.

(s) A supervisor shall support subordinates when they are acting within their rights.

(t) A supervisor shall censure a subordinate in private, when possible.

(u) Upon becoming aware of possible misconduct, members shall immediately notify an uninvolved supervisor.

(v) A supervisor who becomes aware of an alleged act of misconduct shall:

1. Unless necessary, avoid contacting the named member, to preserve investigative options;
2. Take appropriate action to prevent injury, property loss, unwarranted risk of liability on the part of the department or its members, or aggravation of an on-going, in-progress or imminent incident;
3. Ensure the bureau commander or assistant sheriff of the named member is promptly notified, via the chain of command.

(w) When a member is detained/arrested for any criminal offense, or when a member has knowledge they have been named as a suspect in any written report or filed complaint with any police agency regarding an offense, that member shall make the following notifications within 24 hours:

1. Bureau commander of the involved member;
2. After normal business hours, contact the watch commander in the SCC.

(x) Members shall accept and book any and all property, including money, firearms, and drugs, received for safe keeping or destruction as a result of any on-duty contact. Members shall not attempt to make other arrangements with the public to return, on-

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duty or off-duty, for the purposes of receiving or purchasing property intended for safe keeping or destruction.

325.6 RESPECT AND COOPERATION

(a) Members shall conduct themselves in a manner that will foster the greatest harmony and cooperation between each other and divisions and units of the department.

(b) Members while on duty, or otherwise representing the department, shall not publicly criticize any official act of any member of this or any other department of city, county, state, or federal government without the express approval of the Sheriff or his designee.

(c) Members shall act professionally toward other members of the department.

(d) During the course of any official inquiry by a supervisor or official investigation by the department, members shall give full, complete, and truthful statements.

325.7 EXECUTION OF ORDERS

(a) Members shall strictly obey and promptly execute any lawful order from a ranking officer.

1. The term "lawful order" shall be construed as any order that is not unlawful on its face and is in keeping with the performance of any duty prescribed by law or rule of the department, or for the preservation of order, efficiency and proper discipline.

(b) Members shall not speak critically or derogatorily to other members of the department or to any person outside of the department regarding the orders or instructions issued by any ranking officer. However, in any case where there is sound reason to believe that such orders or instructions are inconsistent or unjust it is the right of any member receiving the order to respectfully call it to the attention of the officer issuing the order.

(c) In the event of conflicting orders, the employee receiving the order shall respectfully call the attention of the superior officer to the last order creating the conflict. Should the superior not change the order it shall be obeyed and the employee shall not be held responsible for disobedience of any former order.

325.8 ABSENCE FROM DUTY

(a) Members shall be punctual in reporting for duty at the time and place designated by proper authority.

(b) Members shall obtain proper leave and/or permission prior to any absence except as stated in Section 325.8c.

(c) When absent due to illness or other unexpected reason(s), members shall report the fact as soon as possible to their supervisor, or if unavailable, any on duty supervisor.

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(d) Members shall be honest about their sickness or injury to a representative of the department.

325.9 HABIT FORMING SUBSTANCES

(a) Members shall not drink any kind of intoxicating liquor when on duty except in the performance of duty. For the purposes of this section, "in the performance of duty" shall be construed to mean the acts of members when assigned to the investigation of vice or narcotics or the investigation of any other offense, when it is absolutely necessary to the investigation.

(b) Members shall report to their assignment ready and fit for duty. Members who report for duty and are found to be impaired by or under the influence of alcohol or drugs (including, but not limited to marijuana or drugs of any kind, whether or not prescribed to the member) will be deemed unfit for duty and removed from their assignment. The odor of alcohol on the breath or common symptomology of drug usage will be considered presumptive evidence of being under the influence.

(c) Members shall not consume alcohol while on department premises or worksites or use illegal drugs (including, but not limited to marijuana) at any time or location, whether on or off duty.

(d) If found intoxicated by alcohol or impaired by, or under the influence of illegal drugs (including, but not limited to marijuana) in a public place at any time, members may be subject to immediate suspension pending an investigation.

(e) When otherwise fit for duty and scheduled to report to their assignment, members may only use drugs or narcotics provided such drugs or narcotics are properly prescribed by a physician and will not impair their abilities to safely and completely perform their duties. Any member scheduled to report for duty who is prescribed and is taking medication that impairs his/her ability to safely and completely perform his/her duties shall not report for duty and shall report the fact of his/her prescription and the effects of the medication to their immediate supervisor and Sheriff's Human Resources as soon as practicable. After making such a report, members may be required to obtain a written release from his/her physician prior to returning to work.

(f) While on duty, members shall not smoke or use smokeless tobacco when conducting business with any person. Smoking or using smokeless tobacco which places the appearance of good conduct in question is prohibited.

(g) Members shall not smoke or use smokeless tobacco in county owned or rented buildings or in any county or contract city owned vehicle.

325.10 PERSONAL APPEARANCE

(a) Members shall maintain a clean, sanitary and hygienic appearance.

(b) Non-uniformed members shall be dressed neatly and appropriately in keeping with department standards.

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(c) Uniformed members shall keep their uniforms as neat as possible at all times; equipment shall be kept clean and in serviceable condition.

(d) When in uniform, members shall maintain a professional bearing.

325.11 PERSONAL CONTACT INFORMATION

All members shall maintain a personal telephone (cellular or landline) in order to facilitate contacting off-duty personnel as the need may arise.

Members shall advise Sheriff's Personnel of any change of address or telephone number within 48 hours of such change. This notification shall occur in addition to any other notifications/ changes (i.e. area station, VCHRP, etc.).

325.12 RECORDS AND COMMUNICATIONS

(a) Members shall be truthful and accurate when entering or causing to be entered any information or material matter into any department books, records, reports or computer-based systems.

(b) Members shall be truthful and accurate when making statements to supervisors or authorized investigators.

(c) Members shall properly and promptly report any information given them in good faith by any citizen regarding matters that indicate the need for action by the department.

(d) Members shall give proper information except that which is deemed to be confidential to persons requesting the same. The information shall be given carefully, courteously and accurately, avoiding unnecessary controversy.

(e) Members shall ensure information of a critical/confidential nature concerning the department or its members is not communicated in any manner to any person or agency unless a complete written report regarding the same has been submitted to a supervisor and the supervisor authorizes the release of that information.

(f) Members shall only use county communication facilities or equipment for sanctioned purposes.

(g) Members shall obtain the approval of the Sheriff or his designee prior to corresponding or communicating with any county department head, the County Executive Officer or any member of the Board of Supervisors concerning department business.

(h) Members shall obtain the approval of a supervisor prior to discussing or imparting the content of any directive or other confidential information of the department to anyone except those for whom it is intended, permitted, or required by law.

(i) Members shall maintain integrity of all records accessed through local, state, and national information systems. Members shall use these systems for official purposes

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only. Contents of any criminal record filed in the department shall only be exhibited or divulged as prescribed by law.

(j) Members shall only remove those official department records as directed by their supervisor or as prescribed by law.

325.13 CARE OF PROPERTY AND EQUIPMENT

(a) Members shall have the knowledge and consent of proper authority prior to incurring a liability chargeable against the department or the County of Ventura.

(b) When any member damages real or personal property in the performance of their duties the member shall report it promptly to a supervisor in writing.

(c) Members shall be responsible for the proper care, maintenance and serviceable condition of county property under their care. The loss of, damage to, or unserviceable condition of any county property shall be promptly reported to a supervisor.

(d) Members shall be personally responsible for the badge, cap piece, identification card and access cards issued to them. Members shall not permit any other person to borrow or use the items. Loss of such items shall be reported immediately to the member's supervisor and to the Human Resources Bureau in writing setting forth the circumstances leading to such loss.

(e) Members who are suspended, resign or separated from the department for any reason, shall surrender to the Human Resources Bureau, the Professional Standards Bureau or to their supervisor, all the property belonging to the county including any evidence or property entrusted to them for safekeeping.

(f) Members shall exercise utmost care in the handling of firearms, weapons, chemical agents and explosives. All loaded firearms not considered to be evidence shall be immediately unloaded. Firearms seized as evidence shall be handled in accordance with evidentiary procedures for loaded weapons.

(g) Members shall not appropriate any county property for personal use.

(h) Members who have any person(s) under arrest or detention shall be responsible for the proper safeguarding of such person(s) and their property.

(i) Members shall not fabricate, withhold, tamper with or destroy evidence of any kind.

(j) Members who come into possession of any monies or other property shall deliver it to the proper custodian. A report shall be made of the transaction.

325.14 OPERATION OF COUNTY VEHICLES

(a) All sworn members shall maintain a valid California Driver's License. All other members employed in positions that might require the ability to drive shall maintain a valid California Driver's License.

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(b) Except when in pursuit, members shall obtain authorization from their supervisor prior to using county vehicles outside of Ventura county.

(c) Members shall have the permission of a supervisor prior to using a county vehicle.

(d) When operating county vehicles, members shall obey all traffic laws as prescribed by the Vehicle Code and department policy.

(e) Unless required as part of an active investigation, members shall only allow authorized persons to operate county vehicles.

(f) Members operating any county vehicle shall only permit authorized department employees, persons required to be conveyed in the performance of duty, or persons authorized by a supervisor, to ride in such vehicle.

(g) Members shall promptly notify their supervisor of an accident with, or damage to, any county vehicle or privately owned vehicle in the service of the county, operated by them or in their charge. The member involved in such action shall promptly make a report of such accident or damage in writing upon the proper forms. (Members are referred to the Vehicle Damage and Tow General Order for additional information.)

325.15 SUPERVISION OF INMATES

(a) Members shall obtain the authorization of the facility or housing sergeant before delivering messages or any personal material for inmates.

(b) Members shall not fraternize, nor develop personal relationships with any person in custody in any facility, or any person who has previously been involved in criminal activity. Members shall only associate with such persons upon official capacity or where unavoidable because of workplace assignments or personal family relationships. Members shall not correspond in any manner with former inmates unless it is part of official duties. Members who are contacted by inmates or former inmates through other than official channels shall report such contact within 24 hours to a supervisor.

(c) Member shall obtain authorization from the facility manager or designee, prior to granting any special favors to individual inmates in exchange for information. If an inmate divulges information, the member shall verbally report the circumstances to the facility or housing sergeant without unnecessary delay.

(d) Members shall obtain prior approval of the facility manager or designee, before accepting or giving anything of value to an inmate other than those items approved by policy.

(e) Members shall not deposit money in an inmate's account. Exceptions:

1. When the inmate is a relative of the member depositing the money, the member shall notify the facility manager, in writing, prior to the deposit.

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2. When the money being deposited is part of an investigation and the facility commander has approved the transaction.

(f) Members shall not discuss personal matters with inmates, nor provide personal information about themselves or other inmates.

(g) Members shall refuse all gratuities from inmates. If a gratuity is offered, members shall immediately report the circumstances to a supervisor.

(h) Members shall obtain approval through the chain of command prior to embarking upon rehabilitation programs, reward operations or any other projects within the jail system which are not divisional practice.

(i) Members shall not fraternize with, engage the services of, accept services from, or do favors for any person in the custody of any department or agency.

(j) Members shall not associate socially with or fraternize with the spouse of any person in the custody of the department or any other detention facility.

(k) Members shall ensure all weapons or objects adaptable for use as weapons, are not placed or left unattended in any location of any facility or department building normally accessible to inmates.

(l) Members shall ensure the security of department facilities and those in our custody is maintained. Members who negligently commit or omit any act, which either results, or could have reasonably resulted in, the escape of any inmate may be subject to discipline.

(m) Except in cases of emergency, members shall remain at their assigned security post until permission to leave is granted by proper authority.

(n) Members shall not manage, hold, sell or attempt to sell, any real or personal property of any inmate except that which is required by federal / state law or county ordinance.

(o) Members shall not engage in any game, contest or wager with any inmate.

(p) Members shall not provide a room, house, or any place of residence to a former inmate or to an inmate whom they know will soon be released from custody. Nothing in this section shall preclude a member from providing lodging to a family member.

325.16 GENERAL CONDUCT

(a) Conduct unbecoming is any conduct which adversely affects the morale, operations, or efficiency of the department or any conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the department, or any member. Conduct unbecoming also includes any conduct that brings the department or any member into disrepute or brings discredit upon the department, or any member. Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably upon the department.

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(b) Members of the department shall obey all federal statutes, state laws and local ordinances.

(c) Members are prohibited from using personal recording devices (such as smart glasses, watches, or phones) to record private conversations or workplace interactions without the explicit consent of all parties involved- Penal Code 632(a). Recording conversations without consent is only permissible when performing law enforcement duties, such as interviewing individuals related to a call or incident.

(d) Members of the department shall not become intoxicated or disorderly in a public place at any time.

(e) Members shall avoid being personally involved in neighborhood quarrels or disputes that are beyond the scope of their official duties.

(f) Members shall not play any game of chance for stakes or wagers in violation of any law except in the performance of duty.

(g) Members shall not enter any house of ill repute except in the performance of duty and if required to enter such place they shall report the fact to their supervisor.

(h) Members shall not use their uniforms, rank or status for personal gain.

(i) Members shall not be engaged as a private detective, bill collector, counselor at law, or be an active participant in any business engaged in the sale of alcoholic beverages in a business located in Ventura County, except in the performance of law enforcement duties. No member shall have as a business partner any person whose occupation would fall into the above categories. Pursuant to the Alcohol Beverage Control Act (CA Code of Regulations, Title 4, Division 1, § 62) a law enforcement officer is not prohibited from ownership or interest in an establishment required to possess a license under the Alcohol Beverage Control Act where the premises are located outside the county where the officer is employed. Under these circumstances, deputies and professional staff are not prohibited from such business ventures. However, all outside employment shall conform to the provisions of the Outside Employment policy (Chapter 10).

(j) Members shall pay their debts. They shall not sell or assign their salaries or incomes, or contract any debts or liabilities that they are unable or unwilling to pay. Members shall promptly pay all indebtedness, claims and judgments and satisfy all executions that may be held or issued against them.

(k) When the National Anthem is played, sworn members shall stand at attention, and, if in uniform with cover, shall render a military salute.

(l) Members shall avoid associating with persons who are under criminal investigation or indictment or who are regularly known to be involved in criminal activity. Members shall only associate with such persons in their official capacity or where unavoidable because of personal family relationships.

325.17 PUBLIC RELATIONS

(a) Members shall strive to gain public support of, and promote cooperation with, department programs and procedures to facilitate the department's objectives. The

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attitude of each member shall be one of service and courtesy. Members shall interact with the public, other employees, arrestees, and inmates in a polite and professional manner.

(b) Members shall be especially sensitive in dealing with persons who have suffered the loss of a loved one in a crime, a traffic accident or other misfortune. Members shall provide whatever assistance allowable to next of kin in such instances. This shall include providing information and explanations about the processes of the criminal justice system.

(c) Members shall obtain the prior approval of the bureau commander or the appropriate assistant sheriff before addressing any public gathering, appearing on radio or television programs deliberately, appearing in photographs as an authorized representative of this department, or writing articles or manuscripts, or endorsing publications, wherein they are identified as a member of the department.

(d) Any member receiving a request from any person or organization to appear as a speaker before a public or private group, club or society shall request permission from their supervisor in advance.

(e) Members are expected to provide accurate information to the media. Using the media in an official capacity for personal benefit is prohibited.

(f) Members shall cooperate whenever possible with the media and other information outlets. When necessary to withhold information, members shall do so politely with an explanation for their inability to cooperate.

325.18 JUVENILE OFFENDERS

When interacting with juveniles, members shall ensure their attitude, demeanor and speech remains civil and respectful. Members shall properly report any matter coming to their attention in which a juvenile is delinquent or the victim of any offense or neglect.

325.19 VICE ENFORCEMENT

(a) Sworn members shall make arrests for vice offenses when they have reasonable cause to believe the suspect has committed a felony or the violation has occurred in their presence. However, if a sworn member has information that vice violations are occurring behind closed doors, that member shall gather all information possible and write a complete report. Such report shall be forwarded to a supervisor. If immediate action is necessary, members shall immediately contact their supervisor.

(b) When members receive information from a complainant, victim or informant that requires immediate attention, they shall make an oral report to a supervisor, followed by a written report.

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Information Technology Use

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

326.1.1 EMPLOYEE TECHNOLOGY USE POLICY

http://vcportal.ventura.org/VCWEB/policies/docs/Employee_Technology_Use.pdf

326.2 ELECTRONIC MAIL (E-MAIL)

The electronic mail (e-mail) system is provided to department employees to assist them in carrying out county business. The e-mail system is to be used for business-related purposes. Personal use of the e-mail system must be in compliance with the county's Employee Technology Use Policy. Department employees shall open their e-mail and appointments at the beginning and end of each shift worked. If you have a "Clutter" and/or a "Junk" file set up, you are responsible for checking the e-mail in that file just as if it were your in-box to ensure that you receive communications that are meant as official business notification. As an example, if you have a clutter and/or junk file and you receive an e-mail in one of those files notifying you of upcoming mandated training or overtime, it is your responsibility to open that clutter/junk file and receive that official notification. Failure to receive notification due to e-mail going to your clutter or junk file will not be an excuse for missing an important training date or an overtime shift, or other important communication.

326.2.1 PROHIBITED USE OF E-MAIL FOR PUBLIC RECORDS

Department employees are not to use county e-mail for communications that constitute public record. Any communications received by department employees in the course of normal business that constitute a public record are to be reduced to hard copies and the e-mail version deleted. Although it is possible for county e-mail to constitute a public record, Section 6254 provides the following exemption as reads in part as follows: "(a) Preliminary drafts, notes, or interagency memoranda that are not retained by the public agency in the ordinary course of business..."

Therefore, to prevent the need to disclose county e-mail as public record, county e-mail is to be used only to communicate such preliminary drafts, notes, or interagency memoranda that are not retained by the public agency in the ordinary course of business.

326.2.2 RETENTION

E-mail is to be retained in electronic form for no more than two (2) years from the date of creation or receipt. All unsolicited, non-business e-mail received by department employees is to be deleted immediately.

326.2.3 PRIVACY

The department has the capability to review, copy, and delete any messages sent, received, or stored on the e-mail system. The department reserves the right to access, review, copy, or delete all messages for any purpose and to disclose them to any party it deems appropriate. However,

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the department recognizes that certain agencies have a duty of confidentiality imposed by law. For those agencies, in the event that e-mail must be accessed, confidentiality will be maintained. No user of the county electronic mail system should have an expectation of privacy.

326.2.4 E-MAIL CONTENT AND ETIQUETTE

County e-mail is not to include content that may be deemed harassing, sexual, offensive, or otherwise inappropriate. Someone other than the addressee you send them to and may possibly be disclosed to outside parties may read e-mail messages. Accordingly, care is to be taken to ensure that messages are courteous, professional, and businesslike.

326.2.5 FORWARDING OF E-MAIL

Outlook mailboxes should not be set up to automatically forward e-mail messages to an external mailbox. Automatic forwarding poses a security risk for the county.

326.2.6 E-MAIL MESSAGE SIZE LIMITATIONS

Messages with large attachments delay e-mail delivery for the entire county. To prevent problems related to e-mail with large attachments, a limit of 15 mega bytes is required on county business related incoming/outgoing e-mail.

326.2.7 ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS

Some of the messages sent, received, or stored on the county e-mail system will constitute confidential, privileged communications between the county and either its inside or outside attorneys. Upon receipt of a message either from or to counsel, do not forward it or its contents to others inside the county without counsel's authorization. Never forward such messages or their contents to any outsiders.

326.2.8 COUNTYWIDE BROADCASTS

County e-mail shall not be used to announce, advertise, or otherwise promote any event, cause, organization, or activity that is not an official department or County of Ventura function or program. An assistant sheriff must approve any use of the e-mail system to promote a legitimate event department-wide.

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Media Relations

327.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

327.2 POLICY

It is the policy of the Ventura County Sheriff's Office to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

327.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. In situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, Division Commanders, Watch Commanders, and designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and the applicable laws regarding confidentiality.

327.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Sheriff will consider, at a minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person, or is otherwise prohibited by law.

327.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

(a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.

(b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

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(c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Sheriff. Under these circumstances the member should direct the media to the agency handling the incident.

(d) All department news stories shall be disseminated via the Watch Commander's office or Sheriff's Administration. All news stories must contain contact information for the media. The contact person must be available following the release of the news story.

(e) Booking photos shall only be released with prior approval of Sheriff's Administration/ Sheriff's Public Information Officer.

327.6 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities as required by law.

Access by the media is subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public. Media representatives may not bring or facilitate the transport of an unauthorized person into a closed area unless it is for the safety of the person.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.

(c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody should not be permitted without the approval of the Sheriff and the express consent of the person in custody.

327.6.1 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

327.6.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch

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Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

327.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

327.7.1 EMPLOYEE INFORMATION

The identities of deputies involved in shootings or other critical incidents may only be released to the media upon the consent of the involved deputy or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of deputies involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Watch Commander or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws.

327.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents, or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

327.8.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Watch Commander.

The daily information log will generally include:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).

(b) The date, time, location, case number, name, birth date, and charges for each person arrested by this department, unless the release of such information would endanger

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the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim, or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Watch Commander (Welfare and Institutions Code § 827.5).

Information concerning incidents involving certain sex crimes and other offenses set forth in Government Code 6254(f) shall be restricted in accordance with applicable statutory provisions.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Medical Examiner.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (see the Records Maintenance and Release Policy).

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Court Appearance And Subpoenas

328.1 PURPOSE AND SCOPE

This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

328.2 COURT SUBPOENAS

Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

328.2.1 SERVICE OF SUBPOENA

Service of a subpoena requiring the appearance of any department employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished by e-mail, personal service on the employee or by delivery of two copies of the subpoena on the employee's supervisor or other authorized departmental agent (Government Code § 68097.1 and Penal Code § 1328(c)). Subpoena service is also acceptable by courier or court liaison from the court to this department.

328.2.2 VALID SUBPOENAS

No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.

328.2.3 ACCEPTANCE OF SUBPOENA

(a) Only the employee named in a subpoena, his/her immediate supervisor or the department subpoena clerk shall be authorized to accept service of a subpoena. (Penal Code § 1328(c)). Any authorized employee accepting a subpoena shall immediately provide a copy of the subpoena to the department subpoena clerk. The subpoena clerk shall maintain a chronological log of all department subpoenas and provide a copy of the subpoena to each involved employee.

(b) Any supervisor or other authorized individual accepting a subpoena on behalf of another employee shall immediately check available schedules to determine the availability of the named employee for the date listed on the subpoena.

(c) Once a subpoena has been received by a supervisor or other authorized individual, a copy of the subpoena shall be promptly provided to the subpoena clerk as well as a copy to the individually named employee.

(d) Prior to the appearance date and time, employees shall call the Witness Coordination Unit (654-3006) of the District Attorney's Office and confirm if they still need to appear

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on the date and time listed on the subpoena. It is possible to be placed "on call" at the discretion of the District Attorney's Office. If while on call, an employee is summoned by the District Attorney's Office, the employee shall immediately report to the court designated on the subpoena.

328.2.4 REFUSAL OF SUBPOENA

Subpoenas are received from the District Attorney's Office, via e-mail, up to 6 weeks in advance. Employees have the responsibility to notify, via e-mail, their subpoena clerk of all approved vacation / leave or scheduled training days, so those days can be "blacked out" in the subpoena computer system. Once the subpoena clerk receives the e-mail notification from our employee, the subpoena clerk will not accept a subpoena on behalf of the employee on these days.

1. If a subpoena is accepted on behalf of an employee and then the employee is assigned a training day, the employee is responsible for contacting the District's Attorney's office to attempt to get the court date rescheduled. If the employee is unable to get the court date rescheduled, the employee will notify the training scheduler of the conflict so the training can be rescheduled.
2. In special circumstances, employees may seek a waiver of this policy from their respective captain or commander to attend mandatory training classes.

Except where dates have been "blacked out" by the subpoena clerk; training, vacations and regularly scheduled days off are not valid reasons for refusing a subpoena or missing court. If, due to illness or injury, the named employee is unable to appear in court as directed by a previously served subpoena, he/she shall, at least one hour before the appointed date and time, inform the subpoena clerk or the watch commander of his/her absence. It shall then be the responsibility of the subpoena clerk to notify the issuing authority of the employee's unavailability to appear.

If the immediate supervisor or other authorized individual knows that he/she will be unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or other authorized individual may refuse to accept service (Penal Code § 1328(d)).

If a subpoena is presented for service to an immediate supervisor or other authorized individual less than five working days prior to the date listed for an appearance and the supervisor or other authorized individual is not reasonably certain that the service can be completed, he/she may refuse to accept service (Penal Code § 1328(e)).

If, after initially accepting service of a subpoena, a supervisor or other authorized individual determines that he/she will be unable to deliver a copy of the subpoena to the individually named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

328.2.5 COURT STANDBY

To facilitate court standby agreements with the courts, employees are required to provide and maintain current information on their address and phone number with the department. Employees

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are required to notify the department within 48 hours of any change in residence address or home phone number, and to provide accurate and reasonably reliable means or methods for contact.

If an employee on standby changes his/her location during the day, the employee shall notify the subpoena clerk of how he/she can be reached by telephone. Employees are required to remain on standby each day the case is trailing. In a criminal case the Deputy District Attorney handling the case is the only person authorized to excuse an employee from standby status.

328.2.6 OFF-DUTY RELATED SUBPOENAS

Employees receiving valid subpoenas for actions taken off-duty not related to their employment with Ventura County Sheriff's Office shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

328.2.7 FAILURE TO APPEAR

Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

When an employee fails to appear in response to a subpoena, the respective bureau commander will determine the reason for the employee's absence. Disciplinary action shall be taken if the employee is found negligent.

The first offense may result in a written reprimand. Subsequent offenses within one year from the date of the occurrence shall result in a written reprimand or suspension without pay. Personnel who fail to appear in court in response to a subpoena within twelve months of receiving a suspension for a violation of this policy shall be subject to progressive discipline.

328.3 CIVIL SUBPOENAS

The department will compensate employees who appear in their official capacity on civil matters arising out of the employee's official duties as directed by the current Memorandum of Agreement. In such situations, the department will also reimburse any deputy for reasonable and necessary travel expenses.

The department will receive reimbursement for the deputy's compensation through the civil attorney of record who subpoenaed the deputy.

328.3.1 PROCEDURE

To ensure that the deputy is able to appear when required, that the deputy is compensated for such appearance, and to protect the department's right to reimbursement, deputies shall follow the established procedures for the receipt of a civil subpoena.

328.3.2 CIVIL SUBPOENA ACCEPTANCE

Subpoenas shall not be accepted in a civil action in which the deputy or department is not a party without properly posted fees pursuant to Government Code § 68097.6.

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328.3.3 PARTY MUST DEPOSIT FUNDS

The party in the civil action that seeks to subpoena a deputy must deposit the statutory fee of $275 (Government Code § 68097.2) for each appearance before such subpoena will be accepted. Parties seeking to have the deputy make multiple appearances must make an additional deposit in advance.

328.4 OVERTIME APPEARANCES

If the deputy appeared on his off-duty time, he will be compensated in accordance with the current employee Memorandum of Agreement.

Employees who appear off-duty in response to a subpoena shall complete an "Off Duty Court Appearance" form (SO-76).

328.5 COURTROOM PROTOCOL

Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed.

328.5.1 PREPARATION FOR TESTIMONY

Before the date of testifying, the subpoenaed deputy shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

Evidence and property shall be suitably arranged for presentation as necessary.

328.5.2 COURTROOM ATTIRE

Employees shall dress in uniform or business attire. Suitable business attire for men would consist of a coat, tie, and dress pants. Suitable business attire for female employees would consist of a dress jacket, dress blouse, and skirt or slacks.

328.6 COURTHOUSE DECORUM

Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

When giving testimony, employees shall speak in a calm and distinct manner.

Employees shall not attempt to manipulate the outcome of any legal proceeding by acting or failing to act in any manner that will interfere with the furtherance of justice. This section shall not prevent a member of the department from cooperating with the prosecuting attorney.

Employees shall not accept anything for appearing in a legal proceeding except compensation from the County of Ventura.

Employees shall observe the utmost attention and respect toward magistrates and proceedings at all times.

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Employees shall testify accurately without overstating or understating the facts relating to the case. They shall not volunteer any information, but under direction, answer all questions in a concise manner.

328.7 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE

Any member or employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of California, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay.

This includes, but is not limited to the following situations:

(a) Providing testimony or information for the defense in any criminal trial or proceeding.

(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees.

(c) Providing testimony or information on behalf of or at the request of any party other than any county, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matter.

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Mutual Aid and Outside Agency Assistance

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

This department may also request an outside agency to provide assistance. Nothing in this policy is intended to discourage personnel of this department from assisting personnel from other public safety agencies in emergency situations or from providing assistance to other officers in routine police matters.

Specialized units have standard operating procedures that dictate specific protocol and practices. Refer to those SOP's.

329.1.1 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling deputy or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting deputy should arrange for appropriate radio communication capabilities,if necessary and available, so that communication can be coordinated between assisting personnel.

329.2 POLICY

It is the policy of the Ventura County Sheriff's Office to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws, training, and policies of this department.

329.3 ASSISTING OUTSIDE AGENCIES

Watch Commander

Generally, calls for assistance from other agencies are routed to the Watch Commander for approval. The Watch Commander shall obtain all pertinent information concerning the request.

If the request is granted, the Watch Commander will contact the appropriate unit(s) within our department. The Watch Commander will have a sergeant respond to meet with the requesting party in all instances that may require a tactical deploy

Unless exigent circumstances or immediate action exists, the supervisor shall evaluate the assistance to be given and upon stabilization of the incident, shall determine whether our agency will provide support or take control of the incident. Supporting activities includes outer perimeter, specialized equipment such as an armored vehicle, UAV, or tactical negotiator. The evaluation should include a review of any warrant(s) issued in conjunction with the operation, a review of the operational plan, and any contingency plan(s). Factors to consider include:

- The nature of the operation
- Time of day and day of week the operation is to take place

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- Physical setting of the location of the operation
- Criminal background and propensity of violence of the subject(s)
- Resources needed to safely conduct the operation
- Operational briefing of all involved personnel

Deputies may respond to a request for emergency assistance; however, they shall notify a supervisor of their activity as soon as practicable.

When an authorized employee of an outside agency requests the assistance of this department in taking a person into custody, available deputies shall respond and assist in making a lawful arrest. If a deputy receives a request in the field for assistance, that deputy shall notify a supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to other county facilities.

Deputies should use the least intrusive means reasonably necessary to ensure the safety and success of the assistance rendered to other outside agencies. In the event of a disagreement or dispute with the outside public safety agency concerning operational tactics, the policies of the Ventura County Sheriff's Office and Standard Operating Procedures shall take precedence. The Watch Commander shall be provided the details of the disagreement or dispute and will notify the Commander of the division having jurisdiction as soon as reasonably practicable.

329.3.1 INITIATED ACTIVITY

Any on-duty deputy who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Ventura County Sheriff's Office shall notify the Communications Center, his/her supervisor or the Watch Commander as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

329.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

329.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general offense report or as directed by the Watch Commander.

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GOVERNMENT CENTER '" JURISDICTION AND EMERGENCY RESPONSE

330.1 PURPOSE AND SCOPE

To delineate the jurisdictional lines of law enforcement responsibility at the Government Center, and to provide for an immediate emergency response**.**

330.2 TERMS

Through mutual agreement between the Ventura Police Department and our department, we have accepted the policing responsibility for the Government Center. The area will be treated as any other county area except that traffic flow, accident investigation and all forms of traffic enforcement will remain the responsibility of the Ventura Police Department.

330.3 JURISDICTION

The term 'Government Center' relates to all areas contained within the inner curb lines of Victoria Avenue, Telephone Road, Hill Street, and Webster Street. This perimeter will serve to define our mutual areas of responsibility, but will not preclude officers of either agency from responding to an observation of crime in progress or requests for assistance.

330.4 EMERGENCY RESPONSE

Court Services deputies have been designated as first responders to emergency calls for service at the Government Center. The Sheriff's Communication Center (SCC) will call 654-2947 (senior deputies' office), when calls requiring an immediate response at the Government Center are received.

In those instances where no senior deputy is available, contact on-site private security dispatch at 654-2931. Private security will then be responsible for broadcasting the information to Court Services deputies.

West County Patrol (Headquarters Station) will respond to assume primary responsibility for the scene, unless otherwise directed. This also applies to those instances where a Court Services deputy self-initiates after observing an emergency situation away from the courtroom.

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Automatic External Defibrillator AED

331.1 PURPOSE & SCOPE

The Automated External Defibrillator (AED) is a portable device used to deliver an electric shock through the chest wall to the heart during a specific type of cardiac arrest.

This policy does not establish a mandatory duty to use the AED.

Use of the AED is subject to the discretion of the trained Sheriff's user based on an evaluation of the total circumstances.

331.2 USE & REPORTING

Any Ventura County Sheriff's Office (VCSO) member who has successfully completed authorized training may use the AED.

(a) Training - AED training will be included in all department First Aid / CPR training courses and may include training provided by the county EMS-AED Administrator.

331.2.1 OPERATIONAL RESPONSIBILITIES

(a) Ventura County Public Health - Emergency Medical Services will maintain an AED Program Coordinator who will provide:

1. Training guidelines for proper AED operation.
2. Procedures for the selection and use of all equipment.
3. Coordination of inspection, repair, and maintenance of AED's.

(b) Ventura County Criminal Justice Training Center shall:

1. Ensure that all Ventura County EMS Agency training requirements are met.
2. Maintain CPR-AED personnel training records.

(c) AED trained personnel shall:

1. Utilize AED units according to the procedures outlined in the Red Cross First Aid Standards.
2. Report any use of AED equipment to the Training Center captain, a supervisor and the watch commander.
3. Complete an Incident Report when the AED is used and forward a copy to the Training Center.

331.2.2 IMMEDIATE SUPERVISOR RESPONSIBILITY

When an AED is used, the immediate supervisor shall review and fax/ email a copy of the incident report to the Ventura County Emergency Medical Services Agency AED Coordinator (randy.perez@ventura.org). Typically the EMS agency will want to inspect the AED and download internal AED electronic information.

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331.3 INSPECTIONS AND REPAIR

Each AED location shall have an assigned site coordinator who will maintain inspection compliance and notify the county AED program coordinator of any malfunctions.

Monthly: The assigned AED site coordinator shall check and maintain the AED (pad/battery expiration, malfunctions and general condition). All findings shall be updated by the AED site coordinator using:

https://heartsafecentral.com/EnterCustPortal.aspx

Replacement batteries, electrodes and or repair can be ordered through the Ventura County Public Health - Emergency Medical Services AED Coordinator

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Registered Offender Information

332.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Ventura County Sheriff's Office will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

332.2 POLICY

It is the policy of the Ventura County Sheriff's Office to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

332.3 REGISTRATION

The Major Crimes Sexual Assault supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

332.3.1 CONTENTS OF REGISTRATION

The information collected from the registering offenders shall include a signed statement as required by the California DOJ, fingerprints and a photograph, and any other information required by applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

332.4 MONITORING OF REGISTERED OFFENDERS

Detective Bureau Supervisors should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.

(b) Review of information on the California DOJ website for sex offenders.

(c) Contact with a registrant's parole or probation officer.

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Any discrepancies should be reported to the California DOJ.

Detective Bureau Supervisors should also establish a procedure to routinely disseminate information regarding registered offenders to Ventura County Sheriff's Office personnel, including timely updates regarding new or relocated registrants.

332.5 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Sheriff if warranted. A determination will be made by the Sheriff, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website or the Ventura County Sheriff's Office's website. Information on sex registrants placed on the Ventura County Sheriff's Office's website shall comply with the requirements of Penal Code § 290.46.

The Records Manager may release local registered offender information to residents only in accordance with applicable law and in compliance with a California Public Records Act request (Government Code § 7920.000 et seq.; Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1).

332.5.1 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY

California law allows the following additional information regarding a registered sex offender on campus, whose information is not available to the public via the Internet website, to be released to a campus community (Penal Code § 290.01(d)):

(a) The offender’s full name

(b) The offender’s known aliases

(c) The offender’s sex

(d) The offender’s race

(e) The offender’s physical description

(f) The offender’s photograph

(g) The offender’s date of birth

(h) Crimes resulting in the registration of the offender under Penal Code § 290

(i) The date of last registration

For purposes of this section, campus community shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d).

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332.5.2 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

(f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).

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Major Incident Notification

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

333.2 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Sheriff and the affected Assistant Sheriff. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Critical Incidents and Shooting, Member Involved Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Ventura County official
- Arrest of a department employee or prominent Ventura County official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- Incidents involving celebrities

333.3 WATCH COMMANDER RESPONSIBILITY

The watch commander is responsible for making the appropriate notifications. The watch commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The watch commander shall attempt to make the notifications as soon as practical.

333.3.1 STAFF NOTIFICATION

In the event an incident occurs described above, the Sheriff or his / her designee shall be notified along with the affected command staff.

333.3.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted. He/she will then contact the appropriate detective.

333.3.3 TRAFFIC BUREAU NOTIFICATION

In the event of a traffic fatality or major injury, the traffic sergeant shall be notified. He/she will then contact the appropriate accident investigator.

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333.3.4 PUBLIC INFORMATION OFFICER (PIO)

A public information officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

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Death Investigation

334.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where deputies initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent, and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

334.1.1 DEFINITION

Field Determination of Death: Deputies may declare death at the scene when the subject has suffered decapitation, incineration, decomposition, or massive crush trauma.

(a) Under any conditions other than those listed above, EMS personnel, at their discretion, may be allowed to perform assessments on any subject.

334.2 POLICY

It is the policy of the Ventura County Sheriff's Office to respond to, document, and investigate incidents where a person is deceased. Investigations involving the death of a person, including deaths from natural causes, accidents, workplace incidents, suicide, and homicide, shall be initiated, conducted, and properly documented.

334.3 INVESTIGATION CONSIDERATIONS

PATROL SERVICES

(a) All responses to reports of death shall be handled as a crime scene so that evidence can be preserved. The first deputy on scene shall protect the crime scene. If the first officer on scene is not a patrol deputy, one will be dispatched immediately.

(b) Upon confirming a death, the patrol deputy(s) shall be responsible for the initial investigation to determine if the death was natural or suspicious in nature.

(c) Natural Causes:

1. If the death appears to be natural, the deputy shall relay the findings to the patrol watch commander. The patrol watch commander will notify the Medical Examiner.

2. Reports shall be written on all responses to a report of a death. This includes those subject(s) who may be transported to the hospital and pronounced dead upon arrival. The patrol deputy(s) shall be responsible for completing the initial death report and securing the scene if detectives are dispatched.

(d) The patrol deputy's report should include:

1. Witnesses who last saw the victim prior to death or discovered the body

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2. Name(s) of treating doctor(s) and/or caregiver(s) (address, phone number, and date last seen)
3. Known medical / mental conditions
4. Prescribed medication(s) and medication(s) found at the scene

(e) Suspicious or Unusual:

1. If the death appears to be suspicious or unusual, the watch commander shall be immediately notified, and a field supervisor dispatched.
2. The patrol watch commander shall immediately contact the Major Crimes Bureau.

(f) Unintentional Drug Overdoses:

1. Unintentional drug overdoses should be treated as a criminal investigation in which the end result of a felony drug transaction caused either a significant non-fatal or fatal event.
2. All overdoses shall be documented with an Incident Report detailing the officer's response and the circumstances of the call for service.
   (a) An Incident Report shall be written which includes a survey of the scene with photographs and note anything that responding paramedics may have disturbed.
   (b) Responding officers should obtain initial statements from friends/family.
   (c) All drugs and other items of evidentiary value shall be collected as evidence rather than "Booked for Destruction."
3. Non-fatal overdoses require notification of the Watch Commander, who shall notify the Pharmaceutical Crimes Unit Sergeant by telephone and brief the Sergeant on the circumstances. The Sergeant will determine if an investigative response is appropriate.
4. For fatal overdoses, the Watch Commander will notify the on call Major Crime's Detective to respond to the scene. The Major Crime's Detective will notify the Pharmaceutical Crimes Unit Sergeant for assistance.

(g) Major Crimes Responsibilities:

1. The Major Crimes Captain, or designee, will make the determination if a Major Crimes investigator(s) will respond.
2. The Medical Examiner, or representative, shall be responsible for the notification of next of kin, victim's property, release of identity, and removal of the body from the scene. This will be done in coordination with the patrol deputy(s) or Major Crimes personnel.
3. Upon arrival, the Major Crimes investigator shall assume responsibility for the investigation and the crime scene.

(h) Authority to request the Crime Scene Investigation Unit or the Forensic Science Lab personnel lies respectively with the discretion of the Major Crimes investigator.

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1. The Major Crimes supervisor, or designee, shall contact the patrol watch commander prior to leaving the scene, or as soon as practical, advising the circumstances surrounding the death.

(i) Public Information Officer (PIO) may be requested through the patrol watch commander. If requested, the PIO will be responsible for the handling of the media and writing a media release. The media released will be reviewed by the Major Crimes captain and forwarded to the patrol watch commander for distribution.

1. If a PIO does not respond, it is the responsibility of the Major Crimes Bureau to complete a media release and forward it to the patrol watch commander for distribution.

DETENTION SERVICES

(a) Upon notification of a death at any of the Sheriff's Office Detention Services facilities, the following actions shall be initiated by the facility sergeant, or designee.

1. Upon confirming a death, the facility deputy(s) shall be responsible for the initial investigation. All deaths (staff, visitor, or inmate) shall be treated as a potential homicide scene. The facility where the death occurred shall immediately go into lockdown, and all potential witnesses shall be isolated and sequestered until interviewed.

(b) Reports shall be written on all deaths. The facility deputy(s) shall be responsible for completing the initial death report and securing the scene until Major Crimes investigators arrive, even if the person has been transported and is pronounced dead at the hospital.

(c) The facility sergeant will notify the patrol watch commander.

1. The patrol watch commander will contact the Major Crimes captain, or designee.

2. Major Crimes shall respond to any death inside a Detention Services facility. A Major Crimes investigator at the scene shall assume responsibility for the investigation and crime scene.

(d) The facility sergeant shall remain responsible for the security of the facility and inmates. Any requests made by the Major Crimes investigators shall be made through the facility sergeant.

1. The Major Crimes investigator may request the Crime Scene Investigation Unit or the Forensic Science Lab.

2. The Major Crimes investigator shall notify the Medical Examiner, or representative, of all reported deaths. The Medical Examiner, or representative, shall be responsible for the notification of next of kin, victim's property, release of identity, and removal of the body from the scene, in coordination with the facility sergeant or Major Crimes personnel.

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3. The Major Crimes supervisor, or designee, shall contact the facility sergeant prior to leaving the scene, or as soon as practical, to advise the patrol watch commander of the circumstances surrounding the death.
4. A Public Information Officer (PIO) may be requested through the patrol watch commander.
5. Detention Services Division Policy and Procedures regarding Death and Critical Incidents shall be followed.
    (a) It shall be the responsibility of the facility sergeant, or designee, to complete a Detention Services Critical Incident Checklist for any death or critical incident occurring within a Detention Services facility.

334.3.1 MEDICAL EXAMINER REQUEST

Government Code § 27491 and Health and Safety Code § 102850 direct the Medical Examiner to inquire into and determine the circumstances, manner, and cause of certain deaths. The Medical Examiner shall be called in any of the following cases:

(a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. This also includes all deaths outside hospitals and nursing care facilities.)

(b) Deaths where the deceased has not been attended by either a physician or a registered nurse who is a member of a hospice care interdisciplinary team, as defined by Health and Safety Code § 1746, in the 20 days prior to death

(c) Deaths where the physician is unable to state the cause of death. Unwillingness does not apply. This includes all sudden, unexpected, and unusual deaths, and fetal deaths when the underlying cause is unknown.

(d) Known or suspected homicide

(e) Known or suspected suicide (including suicide where the deceased has a history of being victimized by domestic violence)

(f) Deaths involving any criminal action or suspicion of a criminal act. This includes child and dependent adult negligence and abuse.

(g) Deaths related to or following known or suspected self-induced or criminal abortion

(h) Deaths associated with a known or alleged rape or crime against nature

(i) Deaths following an accident or injury (primary or contributory). This includes deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.

(j) Deaths from drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation, or aspiration

(k) Deaths from accidental poisoning (e.g., food, chemical, drug, therapeutic agents)

(l) Deaths from occupational diseases or occupational hazards

(m) Deaths from known or suspected contagious disease and constituting a public hazard

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(n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room, or elsewhere

(o) Deaths that occur in prison or while under sentence. This includes all in-custody and sheriff's-involved deaths.

(p) All deaths of unidentified persons

(q) All deaths of state hospital patients

(r) Suspected Sudden Infant Death Syndrome (SIDS) deaths

(s) All deaths where the patient is comatose throughout the period of the physician's attendance. This includes patients that are admitted to hospitals unresponsive and expire without regaining consciousness.

The body shall not be disturbed or moved from the position or place of death without permission of the Medical Examiner.

334.3.2 DEATHS OF VICTIMS WITH AN IDENTIFIABLE HISTORY OF VICTIMIZED DOMESTIC VIOLENCE

Prior to making any findings as to the manner and cause of death of a deceased individual with an identifiable history of being victimized by domestic violence, investigating deputies should consider factors identified in Penal Code § 679.07 (e.g., premature or untimely death, partner wanting to end relationship, scene gives appearance of death due to suicide or accident) and proceed with the investigation according to the code's requirements.

334.3.3 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to a death, serious illness, or serious injury and determines that it has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)).

334.4 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the deputy assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

334.5 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established, the handling investigator will request from the medical examiner a unique identifying number for the body. The number shall be included in any report.

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334.6 DEATHS OF SHERIFF'S OFFICE MEMBERS

The department acknowledges the possibility that death can occur unexpectedly and sometimes under tragic circumstances. The following procedures shall serve as a guideline to assist in making formal notifications, funeral arrangements, and to provide valuable support information for family members.

334.6.1 DEATH OF DEPARTMENT MEMBERS

The watch commander shall immediately forward such information to the deceased's division commander who will make necessary notifications, and in the case of an on-duty death, shall notify the Sheriff as specified in the policy entitled "Major Incident Notification."

(a) The division commander of the deceased shall cause any necessary notification to be made to the next of kin.

(b) A death notification shall be made in person by the Sheriff, or designee.

(c) Utilization of the department psychologist and/or chaplain during the initial notification should be considered.

(d) The Human Resources Bureau Sergeant shall contact the spouse or family member(s) at an appropriate time and coordinate the implementation of survivor benefits including acting as liaison with county and state agencies if so requested by the family.

334.6.2 PRESS RELEASE

Any release to the press or the general public shall be made only after the immediate family has been contacted. Preparation of all press releases for the Sheriff's signature is the responsibility of the division commander.

334.6.3 ANNOUNCEMENT OF DEATH OF MEMBER TO DEPARTMENTAL PERSONNEL

The Support Services Commander shall prepare a departmental notice to advise all personnel of the death. This notice will contain any pertinent information regarding a memorial service or funeral, and shall be issued through the Office of the Sheriff.

334.6.4 TELETYPE

Sheriff's Support Services Commander shall ensure a teletype is sent to all law enforcement agencies in the state advising of the death of a deputy and any funeral arrangements. This teletype shall be completed as soon as possible to allow outside agencies adequate time to prepare for Honor Guard arrangements.

334.6.5 FLAGS

All Sheriff's Office facilities shall fly flags at half mast for the period of time from the notification of a deputy's death until completion of funeral services. This shall only apply if the death occurred while on duty. Any variation of this guideline shall be at the discretion of the Sheriff.

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334.6.6 MOURNING RIBBONS

The authorization of displaying mourning ribbons will be at the discretion of the Office of the Sheriff. Upon authorization, members will be notified via the county e-mail system.

334.6.7 FUNERAL COORDINATION

(a) The Human Resources Sergeant in coordination with the division commander, or designee, shall be responsible for the coordination of funeral arrangements and will act as liaison with concerned agencies and organizations.

(b) The Law Enforcement Protocol Handbook, located in the Human Resources Sergeant's office, and a copy of the member benefits handbook, will be maintained by the Human Resources Bureau and will be available upon request.

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Identity Theft

335.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

335.2 REPORTING

(a) In an effort to maintain uniformity in reporting, deputies presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, deputies should observe the following:

1. For any victim not residing within this jurisdiction, the deputy may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, deputies of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Deputies should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

(d) Deputies should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) The reporting deputy should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

(f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

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Private Persons Arrests

336.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

336.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Penal Code § 836(b) expressly mandates that all deputies shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, deputies should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person's arrest, deputies should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

336.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence;

(b) When the person arrested has committed a felony, although not in his or her presence

(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

336.4 DEPUTY RESPONSIBILITIES

Any deputy presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

(a) Should any deputy determine that there is no reasonable cause to believe that a private person's arrest is lawful, the deputy should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

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1. Any deputy who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The deputy must include the basis of such a determination in a related report.
2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the deputy, the deputy should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever a deputy determines that there is reasonable cause to believe that a private person's arrest is lawful, the deputy may exercise any of the following options:

1. Take the individual into physical custody for booking
2. Release the individual pursuant to a Notice to Appear
3. Release the individual pursuant to Penal Code § 849

336.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign an appropriate department form (i.e. citation) under penalty of perjury.

In addition to the appropriate form, deputies shall complete a narrative report regarding the circumstances and disposition of the incident.

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Limited English Proficiency Services

337.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

337.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Ventura County Sheriff's Office, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

337.2 POLICY

It is the policy of the Ventura County Sheriff's Office to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

337.3 LEP COORDINATOR

The Sheriff shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Patrol Division Commander or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:

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(a) Coordinating and implementing all aspects of the Ventura County Sheriff's Office's LEP services to LEP individuals.

(b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.

(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Commander and Communications Manager. The list should include information regarding the following:

1. Languages spoken
2. Contact information
3. Availability

(d)

(e)

(f) Annually assessing demographic data to compare the agency's reflection of the jurisdictions served.

(g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.

(h)

(i) Receiving and responding to complaints regarding department LEP services.

(j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

337.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

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337.5 TYPES OF LEP ASSISTANCE AVAILABLE

Ventura County Sheriff's Office members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards (Department of Homeland Security; www.dhs.gov/xlibrary/assets/crcl/crcl-i-speak-poster.pdf, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

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ADA Compliance

338.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to Ventura County Sheriff's Office services, programs, and activities for persons with disabilities, in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities. See the Service Animals Policy for guidance on protecting the rights of individuals who use service animals in accordance with the ADA.

338.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA coordinator - The member designated by the Sheriff to coordinate the department's efforts to comply with the ADA (28 CFR 35.107).

Assistive devices, auxiliary aids, and services - Tools used by persons with disabilities to facilitate their participation in services, programs, and activities offered by the Ventura County Sheriff's Office and to facilitate effective communication. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; a qualified reader; or a qualified interpreter.

Disability - A physical or mental impairment that substantially limits a major life activity including hearing, seeing, or speaking, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Facility - All aspects of department buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders a department service, program, or activity suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to services, programs, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

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338.2 POLICY

It is the policy of the Ventura County Sheriff's Office that persons with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to services, programs, and activities of the Department.

The Department will not discriminate against or deny any individual access to services, programs, or activities based upon the presence or suspected presence of disabilities.

338.3 ADA COORDINATOR RESPONSIBILITIES

The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

(a) Collaborating with the County ADA coordinator regarding the Ventura County Sheriff's Office's efforts to provide equal access to services, programs, and activities.

1. Maintaining department compliance with accessibility standards for department web content and mobile applications as required by 28 CFR 35 Subpart H (28 CFR 35.200).

(b) Collaborating with the County ADA coordinator to facilitate a process of periodic self-evaluation. The process should include:

1. Inspection of current department facilities to identify access issues.
2. Review of current department services, activities, and programs for access issues.
3. Assessment and update, if necessary, of current compliance measures.
4. Identification of recurring areas of complaint for which new methods of modification should be considered.
5. Review of the department's emergency programs, services, and activities as they apply to persons with disabilities.
6. Recommendation of a schedule to implement needed improvements.

(c) Acting as a liaison with local disability advocacy groups or other disability-focused groups regarding access to department services, programs, and activities.

(d) Developing procedures that will enable members to access assistive devices, auxiliary aids, and services, and making the procedures available as appropriate.

1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to members.

(e) Developing procedures for the review and processing of requests for modifications that will help members provide persons with disabilities access to department services, programs, and activities, as appropriate.

(f) Establishing procedures for the booking process to assist members with managing commonly encountered disabilities such as sight or mobility impairments and intellectual or developmental disabilities.

(g) Providing notice to the public regarding the rights and protections afforded by the ADA. This may include posters, published notices, handbooks, manuals, and pamphlets

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describing department services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications (28 CFR 35.106).

(h) Collaborating with other [city/county] departments during the planning process to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).

(i) Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, and activities. The complaint procedures should include an appeal process (28 CFR 35.107).

(j) Verifying that third parties providing department services, programs, or activities through contract, outsourcing, licensing, or other arrangement have established reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.

(k) Recommending amendments to this policy as needed.

338.4 REQUESTS

The goal of any modification should be to allow a person with a disability to participate in a service, program, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, members should make reasonable efforts to accommodate the request based on the preference of the person with the disability. Members should not ask about the nature and extent of a person's disability but should limit questions to elicit information necessary to determine the need for a modification and the appropriate type of modification.

If the requested modification or an alternative modification can reasonably be made at the time of the request, the member should make the modification. A member who is unable to accommodate a request or unsure about whether a request should be accommodated should contact a supervisor.

The supervisor should review and approve the request, if practicable and appropriate. Otherwise, the supervisor should document the requesting person's contact information and the modification being requested and forward the request to the ADA coordinator for processing as soon as reasonably practicable.

338.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

(a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):

1. A substantial alteration of the service, program, or activity.

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2. An undue financial or administrative burden on the Department. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.
3. A threat to or the destruction of the historic significance of a historic property.
4. A direct threat to the health or safety of others (28 CFR 35.139).

(b) If any of these circumstances are present, the ADA coordinator should work with department members and the person requesting the modification to determine if an alternative modification is available.

(c) Where new construction or physical modification of an existing building or facility would be unfeasible or unduly burdensome, the ADA coordinator should work with department members to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):

1. Reassigning services, programs, or activities to accessible buildings or facilities.
2. Utilizing technology, equipment, rolling stock, or other conveyances.
3. Delivering the services, programs, or activities directly to a person with a disability by way of home visits or meeting the person at an accessible location.
4. Any other means or methods that would make services, programs, or activities readily accessible.

(d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the service, program, or activity will not be made (28 CFR 35.150).

338.4.2 PERSONAL DEVICES AND ASSISTANCE

Although members should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

338.4.3 SURCHARGES

Surcharges shall not be imposed upon persons with disabilities to cover the costs of providing modifications (28 CFR 35.130(f)).

338.5 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Members should remain alert to the possibility of communication problems when engaging with persons with disabilities. When a member knows or suspects an individual requires assistance to effectively communicate, the member should identify the individual's choice of assistive devices, auxiliary aids, and services. The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method may be effective include:

(a) The methods of communication usually used by the individual.

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(b) The nature, length, and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever modification reasonably appears effective under the circumstances. This may include exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter. Once the emergency has ended, the method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

338.5.1 TYPES OF ASSISTANCE AVAILABLE

Department members shall not refuse an available type of assistive device, auxiliary aid, or service to a person with a disability who is requesting assistance. The Department will not require persons with disabilities to furnish their own assistive device, auxiliary aid, or service as a condition for receiving access to department services, programs, and activities. The Department will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services (28 CFR 35.160).

The Department will not require that persons with disabilities use department-provided assistive devices, auxiliary aids, and services. Department-provided assistive devices, auxiliary aids, and services may include but are not limited to the means described in this policy.

338.5.2 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment. If such a recording is not available, members may read aloud from the appropriate form or provide forms with enlarged print.

338.5.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee) with individuals who normally rely on sign language or speechreading (i.e., lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the matter. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a legal proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time.

(b) Experienced in providing interpretation services related to law enforcement matters in the person's primary language.

(c) Familiar with the use of text- and video-based communications products and systems.

(d) Certified in either American Sign Language (ASL) or Signing Exact English (SEE).

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(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity or when it is reasonably apparent that an interpreter is needed. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Persons with disabilities shall not be required to provide an interpreter (28 CFR 35.160).

338.5.4 ON-CALL INTERPRETING SERVICES

The Ventura County Sheriff's Office has contracted with LIFESIGNS to provide 24-hour interpreting services for official communications in any patrol or investigative capacity. If a deputy needs to request an official, certified American Sign Language (ASL) interpreter, all requests will go through the Patrol Watch Commander.

LIFESIGNS will have an ASL interpreter respond to assist with official interviews of a hearing impaired victim, suspect, arrestee, or witness, as needed. The deputy or investigator will need the following information for the Patrol Watch Commander to make a request:

- Date, Time and Location
- Address, including Zip Code and Cross Street
- Parking Information
- Description of Situation and Context
- Names of People Involved
- Phone Numbers and/or E-mail Addresses of On Scene Deputy or Investigator

Advance notice is desired for routine services but LIFESIGNS will respond in an urgent/emergency situation.

338.5.5 TELECOMMUNICATION SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., during booking or attorney contacts), members must also provide those with communication-related disabilities the opportunity to place calls using an available TTY, TDD, or other voice, text, or video-based communications product or system. Members shall provide additional time, as needed, for effective communication due to the slower nature of assisted communications.

The Department will accept all TDD and computer modem calls placed by individuals with communications-related disabilities and received via a telecommunications relay service (28 CFR 35.162).

338.5.6 COMMUNITY VOLUNTEERS

Where qualified interpreters are unavailable to assist members, department-approved community volunteers who have demonstrated competence in communication services, such as ASL or

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SEE, may be called upon to provide interpreter services when appropriate. However, department members must carefully consider the nature of the interaction and the relationship between the individual with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

338.5.7 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the interaction and relationship between the individual with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Except in an emergency involving an imminent threat to the safety or welfare of any person and no qualified interpreter is reasonably available, members shall not use a minor child as an interpreter (28 CFR 35.160).

338.5.8 FIELD ENFORCEMENT CONSIDERATIONS
Due to the unpredictable and varied nature of field enforcement, the Department recognizes that it is impracticable to provide immediate access to a comprehensive supply of assistive devices, auxiliary aids, and services to every member of this department. Members involved in interactions with persons with disabilities that occur in the field should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

338.5.9 WITNESS OR VICTIM INTERVIEWS
Members who interview a witness or victim who demonstrates or states they are deaf or have a hearing loss shall make a good faith effort to secure the services of an interpreter without any unnecessary delay, unless the individual affirmatively indicates they do not need or cannot use an interpreter (Evidence Code § 754).

338.6 CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals with disabilities are protected during a custodial interrogation, this department will provide reasonable modifications before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that the individual understands the process and desires to proceed without receiving a modification. *Miranda* warnings should be provided to a suspect via the individual's preferred method of communication.

Interrogations should be recorded whenever reasonably practicable. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

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338.7 ARREST

If an individual with a communication-related disability is arrested, the arresting deputy shall use department-approved procedures to provide a qualified interpreter as soon as reasonably practicable, unless the individual indicates a preference for a different assistive device, auxiliary aid, or service, or the deputy reasonably determines another effective method of communication exists under the circumstances.

Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

338.8 DOCUMENTATION

Whenever any modification has been provided, the member involved should document:

(a) The type of modification, assistive device, auxiliary aid, or service provided.

(b) Whether the individual elected to use an assistive device, auxiliary aid, or service provided by the Department or another identified source, as applicable.

(c) Whether the individual's express preference for the modification was not honored and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

All written communications exchanged in a criminal case shall be attached to the member's report or placed into evidence.

338.9 COMPLAINTS

A member who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access the department's programs, services, or activities should document the complaint and promptly refer the matter to the ADA coordinator (28 CFR 35.107). The Department shall assist persons with disabilities who require assistance to file a complaint regarding members of this department. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate.

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Mandatory Employer Notification

339.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

339.2 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any offense enumerated below, the Sheriff or his/her designee is required to report the arrest as follows.

339.2.1 ARREST OF PUBLIC SCHOOL TEACHER

In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Sheriff or his/her designee, the Patrol Watch Commander, is mandated to immediately notify by telephone the superintendent of the school district employing the teacher. The watch commander shall then notify the affected bureau commander of the arrest by memo or email. The bureau commander shall immediately give written notice of the arrest to the Commission on Teacher Credentialing (California Commission on Teacher Credentialing/Division of Professional Practices 1900 Capitol Avenue Sacramento, CA 95811) and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

339.2.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE

In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Sheriff or his/her designee, the Patrol Watch Commander, is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher. The watch commander shall then notify the affected bureau commander of the arrest by memo or email. The bureau commander shall immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

339.2.3 ARREST OF PRIVATE SCHOOL TEACHER

In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Sheriff or his/her designee, the Patrol Watch Commander, is mandated to immediately notify by telephone the private school authority employing the teacher. The watch commander shall then notify the affected bureau commander

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of the arrest by memo or email. The bureau commander shall immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).

339.2.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR

In the event a teacher or instructor employed in a community college district school is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591.5 or Health and Safety § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(9), or for any of the offenses enumerated in Penal Code § 290 or in Penal Code § 261(a)(1), the Sheriff or the authorized designee, the Patrol Watch Commander, is mandated to immediately notify by telephone the superintendent of the community college district employing the person. The watch commander shall then notify the affected bureau commander of the arrest by memo or email. The bureau commander shall immediately give written notice of the arrest to the California Community Colleges Chancellor’s Office (Health and Safety Code § 11591.5; Penal Code § 291.5).

339.3 POLICY

The Ventura County Sheriff's Office will meet the reporting requirements of California law to minimize the risks to children and others.

339.4 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES

In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential therapeutic program or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the investigating member shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).

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Chaplains

340.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Ventura County Sheriff's Office chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

340.2 POLICY

The Ventura County Sheriff's Office shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

340.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

(a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.

(b) Managing their households, families and personal affairs well.

(c) Having a good reputation in the community.

(d) Successful completion of an appropriate-level background investigation.

(e) A minimum of five years of successful counseling experience.

(f) Possession of a valid driver license.

The Sheriff may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

340.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Ventura County Sheriff's Office shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass pre-employment procedures before appointment.

340.4.1 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

(a) Submit the appropriate written application.

(b) Include a recommendation from employers or volunteer programs.

(c) Interview with the Chaplain Corps Selection Panel and the Chaplain Coordinator.

(d) Successfully complete an appropriate-level background investigation.

(e) Complete an appropriate probationary period as designated by the Sheriff.

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Chaplains are volunteers and serve at the discretion of the Sheriff. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Sheriff or the authorized designee.

340.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by deputies through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Ventura County Sheriff's Office identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Ventura County Sheriff's Office identification cards, with the exception that “Chaplain” will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations of this department.

340.6 CHAPLAIN COORDINATOR

The Sheriff shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Administration Division Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Sheriff. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Sheriff or the authorized designee, chaplains shall report to the chaplain coordinator and/or Watch Commander.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

(a) Recruiting, selecting and training qualified chaplains.

(b) Conducting chaplain meetings.

(c) Establishing and maintaining a chaplain callout roster.

(d) Tracking and evaluating the contribution of chaplains.

(e) Maintaining a record of chaplain schedules and work hours.

(f) Completing and disseminating, as appropriate, all necessary paperwork and information.

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(g) Maintaining liaison with other agency chaplain coordinators.

340.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Ventura County Sheriff's Office.

340.7.1 OPERATIONAL GUIDELINES

(a) Chaplains will be scheduled to be on-call for a period of seven consecutive days during each month, beginning on Monday and ending on the following Sunday.

(b) Generally, each chaplain will serve with Ventura County Sheriff's Office personnel a minimum of eight hours per month.

(c) Chaplains shall be permitted to ride with deputies during any shift and observe Ventura County Sheriff's Office operations, provided the Watch Commander has been notified and has approved the activity.

(d) Chaplains shall not be evaluators of members of the Department.

(e) In responding to incidents, a chaplain shall never function as a deputy.

(f) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

(g) Chaplains shall serve only within the jurisdiction of the Ventura County Sheriff's Office unless otherwise authorized by the Sheriff or the authorized designee.

(h) Each chaplain shall have access to current department member's contact information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

340.7.2 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

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(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(b) Visiting sick or injured members in the hospital or at home.

(c) Attending and participating, when requested, in funerals of active or retired members.

(d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.

(e) Providing counseling and support for members and their families.

(f) Being alert to the needs of members and their families.

340.7.3 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Assisting members in the diffusion of a conflict or incident, when requested.

(b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the mission of the Department.

(c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.

(d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.

(e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(f) Participating in in-service training classes.

(g) Willingness to train others to enhance the effectiveness of the Department.

340.7.4 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.

(b) Providing an additional link between the community, other chaplain coordinators and the Department.

(c) Providing liaison with various civic, business and religious organizations.

(d) Promptly facilitating requests for representatives or leaders of various denominations.

(e) Assisting the community in any other function as needed or requested.

(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

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340.7.5 CHAPLAIN MEETINGS
All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

340.8 PRIVILEGED COMMUNICATIONS
No person who provides chaplain services to members of the Department may work or volunteer for the Ventura County Sheriff's Office in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Ventura County Sheriff's Office member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

340.9 TRAINING
The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Sergeant, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Deputy injury or death
- Sensitivity and diversity

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SALUTING PROTOCOL

341.1 PURPOSE

Being a Para-Military organization, the Ventura County Sheriff's Office members will follow the below described protocols when it comes to rendering a salute. A salute is the act of respect shown by a Department member towards the United States National Flag (Colors), or paying respect to a fallen member of this Department or another outside agency, and is performed while the sworn Department member is wearing a Class "A" uniform with the Department's Soft Cover or Campaign Cover.

Academy recruit saluting procedures will be dictated by academy staff and may vary from this policy

341.2 PROCEDURE

(a) When a salute is rendered:

1. Anytime a Department cover (Soft Cover or Campaign Cover) is being worn and a member is involved in any of the below listed activities:
   - Anytime respect is being paid to the National Color outdoors
   - When the United States National Anthem is played
   - When the Pledge of Allegiance to the U.S. flag is being recited outdoors
   - When paying respect to a fallen member of this Department or other Law Enforcement Officer
2. Soft covers or campaign covers are normally only worn outdoors, unless special circumstances dictate otherwise.

(b) When a salute is NOT rendered:

1. When a Department cover is NOT worn, usually inside a building, (however there may be special circumstances that dictate otherwise)

(c) In the event a salute cannot be rendered, or does not follow proper protocol, the Department member will stand at a position of attention, and place their right hand over their heart during the event/activity.

(d) Salute Commands:

(a) A salute will be rendered from a POSITION OF ATTENTION, and upon the Department hearing the command "UNIFORM PERSONNEL...PRESENT ARMS." The preparatory command "UNIFORM PERSONNEL" may vary slightly depending upon the situation, however the command of execution "PRESENT ARMS" will always remain the same. To return a salute, the Department member will hear the command "UNIFORM PERSONNEL...ORDER ARMS." Once again the preparatory command may vary, however the command of execution "ORDER ARMS" will always remain the same. The Department member will remain in the POSITION OF ATTENTION upon

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returning the salute, until given an additional command, i.e.... "PARADE REST, DISMISSED, etc...

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Forms

342.1 PURPOSE AND SCOPE

Several department forms are available on line and can be accessed at the following link:

https://sheriffintranet/document-library/

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Child and Dependent Adult Safety

343.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Senior and Disability Victimization policies.

343.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Ventura County Sheriff's Office will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

343.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, deputies should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, deputies should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Deputies should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, deputies should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, deputies should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the deputy at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

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343.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling deputy should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should a child or dependent adult be transported to the sheriff's facility, transported in a marked patrol car, or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

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Off-Duty Law Enforcement Actions

344.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place a deputy as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for deputies of the Ventura County Sheriff's Office with respect to taking law enforcement action while off-duty.

344.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Deputies should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Deputies are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, deputies should first consider reporting and monitoring the activity and only take direct action as a last resort.

344.3 FIREARMS

Deputies of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty deputies shall also carry their department-issued badge and identification.

Deputies should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any deputy who has consumed an amount of an alcoholic beverage or taken any drugs or medications or any combination thereof that would tend to adversely affect the deputy’s senses or judgment.

344.4 DECISION TO INTERVENE

There is no legal requirement for off-duty deputies to take law enforcement action. However, should deputies decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.

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(c) The lack of equipment, such as handcuffs, OC or baton.

(d) The lack of cover.

(e) The potential for increased risk to bystanders if the off-duty deputy were to intervene.

(f) Unfamiliarity with the surroundings.

(g) The potential for the off-duty deputy to be misidentified by other peace officers or members of the public.

Deputies should consider waiting for on-duty uniformed deputies to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

344.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the deputy should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty deputy is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the deputy should loudly and repeatedly identify him/herself as an Ventura County Sheriff's Office deputy until acknowledged. Official identification should also be displayed.

344.4.2 INCIDENTS OF PERSONAL INTEREST

Deputies should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances deputies should call the responsible agency to handle the matter.

344.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

344.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed deputy in public, uniformed deputies should wait for acknowledgement by the non-uniformed deputy in case he/she needs to maintain an undercover capability.

344.5 REPORTING

Any off-duty deputy who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Watch Commander as soon as practicable. The Watch Commander shall determine whether a report should be filed by the employee.

Deputies should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

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Illness and Injury Prevention

345.1 PURPOSE AND SCOPE

The health and safety of the employees of the Ventura County Sheriff's Office is important to executive and management staff, and critical to the operation of this department and the delivery of services to the community.

The purpose of this policy is to establish an ongoing and effective Injury and Illness Prevention Program (IIPP) for the Ventura County Sheriff's Office, in accordance with the requirements of 8 CCR § 3203. This policy specifically applies to illnesses and injuries that result in lost time beyond the date of the incident or that require medical treatment beyond first aid. Though this policy provides the essential framework required for an IIPP, it may be supplemented by procedures outside the Policy Manual.

The IIPP guidelines are to be followed and adopted by all personnel. Supervisory and management personnel are charged with ensuring that these guidelines and directives are implemented.

345.2 RESPONSIBILITY

The Human Resources Safety Manager, acting as the Department's IIPP administrator, has the authority and responsibility for implementing the provisions of this policy and the IIPP. Supervisors are responsible for implementing and maintaining the IIPP in their work areas and for answering questions from employees about the IIPP.

345.3 COMPLIANCE

The Human Resources Safety Manager is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. The Human Resources Safety Manager should take reasonable steps to ensure that all workers comply with safety rules and maintain a safe work environment, including, but not limited to:

(a) Informing workers of the provisions of the IIPP.

(b) Recognizing employees who perform safe work practices.

(c) Ensuring that the employee evaluation process includes the employee's safety performance.

(d) Ensuring the Department's compliance with mandates regarding:

1. Bloodborne pathogens (8 CCR § 5193)
2. Airborne transmissible diseases (8 CCR § 5199)
3. Heat illness (8 CCR § 3395).
4. Respiratory protection (8 CCR § 5144).

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Supervisors are responsible for training, counseling, instructing or making informal verbal admonishments anytime safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Disciplinary Policy in this manual.

All employees should use safe work practices, follow all directives and policies and assist in maintaining a safe work environment.

345.4 COMMUNICATION

Supervisors shall establish and maintain communication with employees on health and safety issues. This is essential for an injury-free, productive workplace.

(a) The Human Resources Safety Manager will ensure that a system of communication is in place which facilitates a continuous flow of safety and health information between supervisors and employees. This system shall include:

1. New worker orientation, including a discussion of safety and health policies and procedures.
2. Regular employee review of the IIPP.
3. Workplace safety and health training programs.
4. Regularly scheduled safety meetings.
5. Posted or distributed safety information.
6. A system for workers to anonymously inform management about workplace hazards.
7. Establishment of a labor/management safety and health committee, which will:
   (a) Meet regularly.
   (b) Prepare a written record of the safety and health committee meeting.
   (c) Review the results of periodic scheduled inspections.
   (d) Review investigations of accidents and exposures.
   (e) Make suggestions to management for the prevention of future incidents.
   (f) Review investigations of alleged hazardous conditions.
   (g) Submit recommendations to assist in the evaluation of employee safety suggestions.
   (h) Assess the effectiveness of the Department's efforts to meet the following mandates:
      1. Bloodborne pathogens (8 CCR § 5193)
      2. Airborne transmissible diseases (8 CCR § 5199)

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3. Heat illness prevention (8 CCR § 3395).

345.5 HAZARD ASSESSMENT

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards utilizing the applicable sections of the Hazard Assessment Checklist to ensure a thorough inspection. These checklists can be found at https://sheriffintranet/wp-content/uploads/2022/08/Cal-OSHA-Hazard-Assessment-Checklist.pdf

345.5.1 ADMINISTRATION SUPERVISOR INSPECTION DUTIES

The Human Resources Safety Manager shall ensure an Identified Hazard and Correction Record https://sheriffintranet/wp-content/uploads/2022/08/VCSO-HAZ-ASSESSCorr-rec.pdf is completed for each inspection.

345.5.2 PATROL DEPUTIES INSPECTION DUTIES

Deputies are charged with daily vehicle inspection of an assigned vehicle and of personal protective equipment prior to working in the field. Deputies shall complete an Identified Hazard and Correction Form if an unsafe condition cannot be immediately corrected. Deputies should forward this report to their supervisor.

345.5.3 SUPERVISOR ASSESSMENT DUTIES

Supervisors should inform the Human Resources Safety Manager when the following occurs:

- New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
- New, previously unidentified hazards are recognized.
- Occupational injuries and illnesses occur.
- New and/or permanent or intermittent workers are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
- Whenever workplace conditions warrant an inspection.

The Human Resources Safety Manager will take appropriate action to ensure the IIPP addresses potential hazards upon such notification.

345.6 ACCIDENT/EXPOSURE INVESTIGATIONS

Employees must report all injuries that are a result of a workplace accident and any hazardous substance exposure to a supervisor. A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- A visit to the accident scene as soon as possible.
- An interview of the injured worker and witnesses.
- An examination of the workplace for factors associated with the accident/exposure.

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- Determination of the cause of the accident/exposure.
- Corrective action to prevent the accident/exposure from reoccurring.
- A record of the findings and corrective actions taken, using the Investigation/Corrective Action Report https://sheriffintranet/wp-content/uploads/2022/08/Cal-OSHA-Hazard-Assessment-Checklist.pdf

345.7 HAZARD CORRECTION

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisor).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner based on the severity of the hazards. Hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed workers from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on an Identified Hazard and Correction Form. This should be forwarded to the program administrator via the chain of command.

345.8 EMPLOYEE ACCESS TO THE IIPP

VCSO employees have the right to examine and receive a copy of our IIIPP. This will be accomplished by providing unobstructed access through the VCSO Intranet https://sheriffintranet / divisions/support-services/human-resources/safety-web/which allows an employee to review, print, and email the current version of the Program. Unobstructed access means that the employee, as part of their regular work duties, predictably and routinely uses the electronic means to communicate with management or coworkers.

All employees will be briefed on their right and procedure to access the IIPP upon hiring, or by periodic all sheriff users email notice.

345.9 TRAINING AND INSTRUCTION

The Human Resources Safety Manager shall work with the Academy Commander to ensure that all workers, including supervisors, are trained on general and job-specific, workplace safety and health practices. Training shall be provided as follows:

- To all new employees for those tasks that were not sufficiently covered by previous training from an academy or another training provider.
- To all workers given new job assignments for which training has not previously been provided.

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- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- Whenever the department is made aware of a new or previously unrecognized hazard.
- To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed.
- To all workers with respect to hazards that are specific to each employee's job assignment.
- An explanation of the department's IIPP, emergency action plan and fire prevention plan; measures for reporting any unsafe conditions, work practices and injuries; and informing a supervisor when additional instruction is needed.
- The use of appropriate clothing, including gloves, footwear and personal protective equipment.
- Information about chemical hazards to which employees could be exposed.
- The availability of toilet, hand-washing and drinking-water facilities.
- Provisions for medical services and first aid, including emergency procedures.
- Steps to prevent heat illness (8 CCR § 3395).

345.10 RECORDKEEPING

The Human Resources Safety Manager will do the following to implement and maintain IIPP records:

(a) Make available the Identified Hazards and Correction Record Form to document inspections, any unsafe condition or work practice, and actions taken to correct unsafe conditions and work practices.

(b) Make available the Investigation/Corrective Action Report https ://sheriffintranet/wp-content/uploads/2022/08/Cal-OSHA-Hazard-Assessment-Checklist.pdf (to document individual incidents or accidents.

(c) Develop a Worker Training and Instruction Form to document the safety and health training of each employee. This form will include the employee's name or other identifier, training dates, type of training, and training providers.

(d) Retain inspection records and training documentation for a minimum of one year.

345.11 TRAINING SUBJECTS

The Human Resources Safety Manager should work with the Academy Commander to ensure training is provided on the following topics:

- Driver safety
- Safe procedures for handling, cleaning and/or storing weapons
- Good housekeeping and fire prevention

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- Back exercises/stretches and proper lifting techniques
- Lock-out/tag-out procedures
- Hazardous materials
- Building searches
- Slips and falls
- Ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods
- Personal protective equipment
- Respiratory equipment
- Hazardous chemical exposures
- Hazard communication
- Physical hazards, such as heat/cold stress, noise, and ionizing and non-ionizing radiation
- Bloodborne pathogens and other biological hazards
- Other job-specific hazards

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Gun Violence Restraining Orders

346.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

346.1.1 DEFINITIONS

Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

346.2 POLICY

It is the policy of the Ventura County Sheriff's Office to petition for and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

346.3 GUN VIOLENCE RESTRAINING ORDERS

A deputy who reasonably believes a person is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for a gun violence restraining order.

Deputies petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the deputy believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, a deputy may orally request an order, and then prepare and sign a declaration under penalty of perjury that recites the oral statements provided to the judicial officer and memorialize the order of the court on the appropriate Judicial Council form (Penal Code § 18140).

Link to Temporary GVRO: http://www.courts.ca.gov/documents/gv110.pdf

Link to Firearms Emergency Protective Order: http://www.courts.ca.gov/documents/epo002.pdf

346.3.1 ADDITIONAL CONSIDERATIONS

Deputies should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

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(a) When responding to a domestic disturbance where the residence is associated with a firearm registration or record.

(b) When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.

(c) During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions, if that person owns or possesses a firearm.

Deputies should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themself or another person by having custody or control of a firearm or expresses intent to obtain a firearm (see the Mental Illness Commitments Policy) (Penal Code § 18108).

All gun violence restraining orders must be approved by a supervisor in accordance with the Search and Seizure Policy.

346.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

A deputy serving any gun violence restraining order shall:

(a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or control (Penal Code § 18160).

(b) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).

(c) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).

(d) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).

(e) Transmit the original proof of service form to the issuing court, Family Law (Brown Mail # 1830), as soon as practicable but within one business day (Penal Code § 18115).

(f) As soon as practicable, but by the end of his/her shift, submit proof of service to the Records Bureau for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The deputy should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

346.4.1 TEMPORARY EMERGENCY GUN VIOLENCE RESTRAINING ORDERS

A deputy requesting a temporary emergency gun violence restraining order shall (Penal Code § 18140):

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(a) For oral requests, sign a declaration under penalty of perjury reciting the oral statements provided to the judicial officer and memorialize the order of the court on the form approved by the Judicial Council.

(b) Serve the order on the restrained person if the person can be reasonably located.

(c) Forward a copy of the order to the Records Manager for filing with the court and appropriate databases.

346.5 SEARCH WARRANTS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the deputy should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Search and Seizure Policy. Additionally, (Penal Code § 1542.5):

(a) The deputy serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.

(b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:

1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.

(c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the deputy shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner's presence.

346.6 RECORDS MANAGER RESPONSIBILITIES

The Records Manager is responsible for ensuring:

(a) Proof of service of any gun violence restraining order served by a deputy or received from the clerk of the court is entered in the computer database system for protective and restraining orders maintained by the Department of Justice within one business day of service if served by a deputy, or within one business day of receipt of proof of service if served by a person other than a law enforcement officer (Penal Code § 18115).

(b) Temporary orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).

(c) Copies of temporary orders are filed with the court as soon as practicable, but no later than three court days, after issuance (Penal Code § 18140).

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(d) Copies of receipts of surrendered firearms or ammunition issued by other agencies for gun violence restraining orders issued by the Department are properly maintained (Penal Code § 18120).

(e) Any relinquishment of firearm rights form received from the court is entered into the California Restraining and Protective Order System within one business day of receipt (Penal Code § 18115).

346.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS

Authorized members shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order. The member receiving any firearm or ammunition shall:

(a) Record the individual's name, address and telephone number.

(b) Record the serial number of the firearm.

(c) Prepare an incident report and property report.

(d) Provide a property receipt to the individual who surrendered the firearms and ammunition.

(e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

346.8 STORAGE AND RELEASE OF FIREARMS AND AMMUNITION

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be stored in accordance with the Property and Evidence Policy.

Firearms and ammunition shall be returned to the restrained person upon the expiration of the order in accordance with Penal Code § 18120 and the Property and Evidence Policy (Penal Code § 18108).

346.9 GUN VIOLENCE RESTRAINING ORDER COORDINATOR

Detective Bureau supervisors will serve as the gun violence restraining order coordinators. The responsibilities of the coordinators include:

(a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members, also including procedures for requesting and serving (Penal Code § 18108):

1. A temporary emergency gun violence restraining order.
2. An ex parte gun violence restraining order.
3. A gun violence restraining order issued after notice and hearing.
4. Renewal orders.

(b) Developing and maintaining factors to consider when assessing the need to seek an order, including (Penal Code § 18108; Penal Code § 18155):

1. Whether threats have been made, and if so, whether the threats are credible and specific.

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2. Whether the potential victim is within close proximity.
3. Whether the person has expressed suicidal tendencies.
4. Whether the person has access to firearms.
5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.
7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
8. Whether the person has any history of drug or alcohol abuse.

(c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of Penal Code § 18115; Penal Code § 18120; Penal Code § 18135; Penal Code § 18140; and Penal Code § 18160. Procedures should include:

1. Evaluation of an order to determine appropriate service and necessary precautions.
2. Forwarding orders to the Records Manager for recording in appropriate databases and required notice to the court, as applicable.
3. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate (Penal Code § 18108).
4. Seizure procedures of firearms and ammunition at the time of issuance of a temporary emergency gun violence restraining order.
5. Verification procedures for the removal of firearms and ammunition from the subject of a gun violence restraining order (Penal Code § 18108).

(d) Coordinating with the Training Sergeant to provide deputies who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.

(e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.

(f) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.

1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.

(g) Coordinating review of notices of court hearings and providing notice to the appropriate deputy of the hearing date and the responsibility to appear and participate in the evidence presentation process (Penal Code § 18108).

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(h) Coordinating with the Training Sergeant to ensure deputies remain current with the following (Penal Code § 18108):

1. Types of evidence a court considers when determining whether grounds exist for the issuance of a gun violence restraining order as provided in Penal Code § 18155 (Grounds for gun violence restraining order; examination by court).
2. The different procedures and protections afforded by different types of firearm-prohibiting emergency protective orders that are available to law enforcement petitioners.

(i) Establishing standards and procedures for addressing violations of a gun violence restraining order (Penal Code § 18108).

(j) Establishing procedures for deputies to provide information about mental health referral services during contact with persons exhibiting mental health issues (Penal Code § 18108).

346.10 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS

The Detective Bureau supervisors or managers may review a gun violence restraining order (including temporary or ex parte orders) obtained by the Department to determine if renewal should be requested within the time prescribed by law (Penal Code § 18190).

346.11 POLICY AVAILABILITY

The Sheriff or the authorized designee shall be responsible for making this policy available to the public upon request (Penal Code § 18108).

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Chapter 4 - Patrol Operations

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Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Deputies will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Ventura County, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions

(b) Respond to calls for service

(c) Investigate both criminal and non-criminal acts

(d) The apprehension of criminal offenders

(e) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature

(f) The sharing of information between the Patrol division and other divisions within the Department, as well as other outside governmental agencies

(g) Facilitate the application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and Problem Solving strategies

(h) Traffic direction and control

400.1.2 CITIZEN CONTACT AND REPORTS

The Ventura County Sheriff’s Office community policing philosophy incorporates an emphasis in making positive public contacts. Citizens expect to meet a deputy face-to-face when they call to report incidents, circumstance or crime.

All patrol deputies shall respond promptly and meet the reporting person or persons designated in the call slip. Handling patrol “calls for service” via telephone is prohibited unless initiated specifically by the reporting party, watch commander or sergeant.

Patrol deputies shall properly document crimes reported to them, or that they become aware of through other means, unless otherwise directed by a sergeant or watch commander.

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400.1.3 TERRORISM

It is the goal of the Ventura County Sheriff's Office to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Deputies should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI) card. The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Intelligence Unit, via the station Terrorism Liaison Officer (TLO), in a timely fashion.

400.2 CROWDS, EVENTS AND GATHERINGS

Deputies may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Deputies should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Deputies responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Deputies are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Deputies should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

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Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Ventura County Sheriff's Office 's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4). This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes towards certain groups).

401.2 POLICY

The Ventura County Sheriff's Office is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit a deputy from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Professional Standards Bureau Commander shall ensure that all data required by the Department of Justice (DOJ) regarding complaints of racial bias against deputies is collected and reported annually to DOJ (Penal Code § 13012; Penal Code § 13020).

401.3.2 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

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Members shall not assist federal government authorities (Government Code § 8310.3):

(a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.

(b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

401.3.3 RACIAL IDENTITY PROFILING ACT (RIPA)

Department members shall collect and report data for all individuals detained or searched during a call for service or self-initiated activity, in accordance with the Racial and Identity Profiling Act (Government Code § 12525.5).

This data shall be collected through the department developed application that can be found on department issued electronic equipment and should be submitted upon completion of the activity and unless prior approved, prior to the end of shift.

Field Supervisors shall review and ensure that personal identifying information is not included in the RIPA information prior to approval. Approval of RIPA data shall be completed in most cases prior to the end of shift.

401.4 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Center.

(a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.

(b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.

(c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

401.5 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

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401.5.1 DISCLOSURE AND DOCUMENTATION OF TRAFFIC OR PEDESTRIAN STOP

A deputy conducting a traffic or pedestrian stop shall state the reason for the stop prior to questioning the individual related to a criminal investigation or traffic violation unless the deputy reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, including but not limited to cases of terrorism or kidnapping (Vehicle Code § 2806.5).

Deputies shall document the reason for the stop on any citation or report (Vehicle Code § 2806.5).

401.6 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved deputy and their supervisor in a timely manner and should document these discussions in the prescribed manner.

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Briefing Training

402.1 PURPOSE AND SCOPE

Patrol briefing is conducted at the beginning of shift change. A sergeant or senior deputy generally will lead the briefing; however deputies may conduct the briefing with supervisor approval.

Briefings shall begin promptly at the beginning of the shift and last no longer than fifteen minutes, unless authorized by the station captain, watch commander or shift supervisor(s).

At the conclusion of briefing, all personnel shall proceed to their assigned patrol area in a timely manner. Any delays in a unit going into service shall be cleared with the shift supervisor. The deputy shall then advise S.C.C. so that the proper unit status is reflected in C.A.D.

In the event an on-going deputy's assigned unit or equipment is delayed in the field, it is the deputy's responsibility to immediately notify the shift supervisor for direction. It is the responsibility of the shift supervisor to conduct briefing, ensure that all personnel are accounted for and appropriate material and equipment are disseminated to on-going shift personnel.

Off-going patrol shifts shall remain in the field and available for calls until 1/2 hour prior to the end of watch. The last thirty minutes of on-duty time is designated for fueling/servicing the vehicle, the exchange of equipment, information, and completion of paperwork. Personnel shall remain in full uniform and available for calls until the end of their assigned shift.

Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing deputies with information regarding daily patrol activity, with particular attention given to unusual situations, wanted persons, and major investigations

(b) Notifying deputies of changes in schedules and assignments

(c) Notifying deputies of new policies and procedures or changes in patrol procedures

(d) Reviewing recent incidents for training purposes

(e) Providing training on a variety of subjects

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Crime And Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime scene or disaster.

403.2 POLICY

It is the policy of the Ventura County Sheriff's Office to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first deputy at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Deputies shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once a deputy has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the deputy shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.

(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.

(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.

(d) Provide first aid to injured parties if it can be done safely.

(e) Evacuate the location safely as required or appropriate.

(f) Secure the inner perimeter.

(g) Protect items of apparent evidentiary value.

(h) Secure an outer perimeter.

(i) Identify potential witnesses.

(j) Start a chronological log noting critical times and personnel allowed access.

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403.5 SEARCHES

Deputies arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Deputies should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, deputies should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS

Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).

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FOOD SERVICE, EMERGENCIES

404.1 PURPOSE AND SCOPE

To identify the officials who may request the activation of emergency food services.

404.2 PROCEDURE

All requests for emergency food service involving the use of Sheriff's Office personnel and equipment will be directed to the Pre-Trial Detention Facility (PTDF) commander or his/her designee.

The emergency food service plan will be activated by a PTDF supervisor, via proper channels, only when requested by one of the following officials:

SHERIFF'S OFFICE

Sheriff

Undersheriff

Assistant Sheriff

Commander

Patrol Watch Commander

COUNTY FIRE DEPARTMENT

Chief of the County Fire Department

Deputy or Assistant Chief of the Fire Department

The on-scene incident commander may request, via the patrol watch commander, emergency food service activation. The watch commander will verify the necessity of the request, depending upon the actual circumstances of the incident. In most cases, it is assumed the incident commander would have the authority to determine the appropriateness of the request.

Upon receipt of an authorized emergency food request, the PTDF supervisor shall obtain and forward the necessary information to the Detention Services food service manager, thus activating the emergency food service plan.

After initial activation, all communication and coordination between the authorized official of the command department and the Detention Services food services manager will be direct.

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Special Weapons and Tactics Team Activation

405.1 PURPOSE AND SCOPE

The Special Weapons and Tactics Team (SWAT) provides a group of highly trained and skilled sworn personnel to be utilized in instances where disciplined teamwork and specialized weapons and tactical skills are required to cope with and resolve law enforcement incidents that are high risk in nature.

405.2 TEAM ACTIVATION

Because of the need for alerting and quickly placing SWAT on scene at an incident, any sworn member of the department may initiate a request for the team by contacting the watch commander. Authorization to actually activate the team to the scene, however, rests with the watch commander. The watch commander shall activate SWAT under the following circumstances:

405.2.1 TEAM NOTIFICATION

The watch commander shall follow the following procedures once the necessity to activate SWAT has been determined:

1. Notify the SWAT captain, or in the absence of the captain, notify the SWAT administrative commander.
2. At the time the SWAT captain and/or administrative commander is contacted, the watch commander should provide them with the following information:
    (a) The nature of the incident and/or crime involved;
    (b) Suspect information and type of weapon involved;
    (c) Hostage information, if applicable;
    (d) Address of incident and the location of command post;
    (e) Name of the designated incident commander.
3. Notify the patrol commander of the division within the jurisdictional and/or geographical area affected, who shall respond to the scene and assume the duties of the incident commander.
4. Notify the Tactical Negotiation Unit (TNU) captain.
5. Designate a field supervisor who will act as the incident commander until the arrival of the division commander.

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405.3 DEPLOYMENT

During a traditional SWAT response the team can only be deployed at the direction of the SWAT captain or sergeant. The exception is in instances of extraordinary circumstances wherein an armed suspect is not contained and is posing a threat to lives and safety.

1. Upon arrival at the scene, the SWAT captain shall report to the incident commander for a briefing and mission.
2. Because the SWAT team is trained in a variety of tactics that may not be universally known to all supervisory and/or management members of the department, the SWAT team captain shall select the appropriate tactics to be employed and direct the deployment of the team.

405.3.1 ADDITIONAL TYPES OF DEPLOYMENT

The SWAT team or portions thereof can also be requested for use in other tactical situations by various department entities, such as: patrol, detectives, narcotics, and gang units. SWAT is capable of providing the full team or one component of the team depending on the circumstances and requirements of the mission. This flexibility allows the department to best utilizes tactically trained personnel and state of the art equipment to enhance the safety in resolving above-average risk tactical situations that do not rise to the level of a traditional SWAT response, such as:

1. Response to situations necessitating the use of the Less Lethal team;
2. Providing patrol supervisors with tactically trained personnel and specialized equipment;
3. The planning and/or service of arrest or search warrants;

[redacted]

405.4 REQUEST BY OUTSIDE AGENCIES

It is the policy of the department to assist other agencies in time of need provided that such agency has made an independent effort to resolve the incident. All requests for SWAT made by outside agencies may be made during normal business hours by contacting the Sheriff's Office, any division assistant sheriff, the SWAT administrative commander, the SWAT captain or the watch commander.

After hours, requests for SWAT can be made through the watch commander. The watch commander shall notify his division assistant sheriff whenever SWAT is requested by or activated pursuant to a request made by an outside agency.

Upon requesting assistance from SWAT, the representative of the requesting agency shall be informed of the following:

1. Each request for assistance from SWAT must be made by the chief executive officer of the requesting agency (i.e., Chief of Police, Sheriff, Director, etc.), or designee.
2. The Operations Assistant Sheriff or designee, must approve each request.

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3. Upon authorized approval SWAT will assist requesting agencies on either a primary or a secondary basis.

    (a) Primary assistance denotes that SWAT shall assume the entire responsibility involved in handling a situation. The personnel utilized in the inner perimeter, or more specifically the primary containment zone, shall be limited to members of Sheriff's SWAT. SWAT will respond to the scene of an incident whereupon the SWAT captain will consult with the requesting agency's on-scene supervisor. A sheriff's commander of the geographical area affected will respond to the scene and assume the duties of the incident commander. Tactical solutions and recommendations will be presented to the requesting agency's on-scene supervisor. Should agreement regarding tactics not be reached, the SWAT captain will decline to provide primary assistance and offer to provide only secondary assistance.

    (b) Secondary assistance denotes that SWAT will assume a support role to the requesting agency's tactical team. The requesting agency will retain complete operational responsibility and control of the incident. The SWAT captain will respond to the scene of the incident and coordinate with and accept assignments from the incident commander of the requesting agency. The integrity of Sheriff's SWAT will remain intact and under the direct supervision and control of the SWAT captain.

4. SWAT will not be utilized for crowd and traffic control or other related duties on the perimeter of the incident. If requested, the appropriate patrol station will provide personnel for this assignment. Such personnel will be under the supervision of Sheriff's patrol supervisors, who will accept crowd and traffic control missions from the requesting agency's on-scene incident commander.

5. Any agency requesting SWAT response within the jurisdictional boundaries of their agency shall be responsible for establishing the following:

    [redacted]

    (d) Begin any necessary evacuation as practical

6. The requesting agency will assign a supervisor or command level officer to the command post throughout the duration of the incident.

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TACTICAL RESPONSE TEAM ACTIVATION

406.1 PURPOSE AND SCOPE

The purpose of the Tactical Response Team (TRT) is to provide a team of highly trained and skilled sworn personnel to respond to events or critical incidents that by nature and scope exceed the capabilities of other units within the Sheriff's Office.

TRT is a collateral assignment and comprised of operational squads. Each operational squad consists of one sergeant and a combination of senior deputies/deputies. TRT team members are drawn from various assignments throughout the department. During a TRT activation, the watch commander should balance the department resources to meet the needs for the call-out while still maintaining other priorities.

406.2 TEAM ACTIVATION

Due to the pace at which an incident can grow, it is imperative for TRT to be activated quickly and respond to address situations at the earliest stages. Any sworn member of the Sheriff's Office may initiate a request for the team by contacting the watch commander. Authorization to activate the team, rests with the watch commander.

The watch commander should consult with the TRT commander and/or captain, or in their absence, the designated TRT sergeant to determine if a TRT response is needed for the following incidents:

1. Mutual aid requests
2. Riot, demonstration, or civil unrest
3. Wildfires
4. Natural or man-made disasters
5. Any prolonged incident above the capabilities of patrol that does not meet the criteria for a SWAT activation

406.2.1 TEAM NOTIFICATION

The watch commander shall follow the following procedures once the necessity to activate TRT has been determined:

1. Notify the TRT captain, or in the absence of the captain, the designated TRT sergeant
2. At the time the TRT captain and/or TRT sergeant is notified, the watch commander should provide them with the following information:
    (a) The nature of the incident and type of assistance needed
    (b) The address and description of the location (i.e. industrial, residential, rural, etc.)
    (c) The location of the command post and the best route to the command post without driving past the location of the incident
    (d) The radio frequency used for the operation

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(e) The number of suspects/protesters (if any) and any descriptive or behavioral information

(f) The number and types of weapons seen or used by the suspects/protestors (if any)

3. Notify the patrol commander of the division within the jurisdictional and/or geographical area affected, who shall respond to the scene and assume the duties of the incident commander

4. Designate a field supervisor who will act as the incident commander until the arrival of the division commander

406.3 DEPLOYMENT

During a TRT response, the team can only be deployed at the direction of the TRT captain or sergeant.TRT shall operate under the overall direction of the Incident commander. The exception is in instances of exigent circumstances posing a threat to public safety.

1. Upon arrival at the scene, the TRT captain or sergeant shall report to the incident commander for a briefing and assignment.

2. Because the TRT team is trained in a variety of tactics that may not be widely known to all supervisory and/or management members of the department, the TRT captain or sergeant shall select the appropriate tactics to be employed and direct the deployment of the team.

3. TRT can provide a full team or partial team, depending on the circumstances and requirements of the incident. **In all cases, a TRT sergeant / supervisor will be on scene and will directly supervise the involved TRT members.**

4. TRT will not be activated and deployed to fill patrol shifts or patrol assignments due to vacancies in normal operational assignments

406.4 REQUEST BY OUTSIDE AGENCIES

It is the policy of the Sheriff's Office to assist other agencies in times of need. All requests for the Tactical Response Team made by outside agencies during normal business hours can be accomplished by contacting the Sheriff's Office, the Patrol Assistant Sheriff, the TRT commander, the TRT captain, or the watch commander.

After hours, requests for TRT can be made through the watch commander. The watch commander shall notify the Patrol Assistant Sheriff whenever TRT is requested by, or activated pursuant to a request by, an outside agency.

Upon receiving a request for assistance from TRT, the representative of the requesting agency shall be informed of the following:

1. Each request for assistance from TRT must be made by the chief executive officer of the requesting agency (i.e. Chief of Police, Sheriff, Director, etc.), or designee.

2. The Patrol Assistant Sheriff, or designee, must approve each request.

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406.4.1 MUTUAL AID OPERATIONS

TRT members shall operate in a manner consistent with their training and within the policies of the Sheriff's Office. In the event of a disagreement or dispute with the outside public safety agency concerning operational tactics, the policies of the Ventura County Sheriff's Office and Standard Operating Procedures of the TRT shall take precedence.

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Hostage and Barricade Incidents

407.1 POLICY

It is the policy of the Ventura County Sheriff's Office to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

A Non-Criminal Barricade Incident is distinguishable from a Barricade Situation. The Ventura County Sheriff's Office recognizes there is a distinction between an armed barricaded suspect wanted for a crime and a barricaded individual who has not committed a crime but only expressed the desire to commit suicide. Not all suicidal subjects are considered barricaded or require law enforcement action. It is not a criminal act to express the desire or even attempt to commit suicide. Suicidal or mentally ill persons are afforded the same level of legal protection as the rest of the population.

407.2 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where deputies have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the deputies by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that deputies encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.2.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

(a) Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

(b) Unlawfully held against his/her will under threat or actual use of force.

Non-Criminal Barricade Incident - An incident involving suicidal subjects or persons in mental health crisis who do not put other persons in immediate danger.

407.3 COMMUNICATION

When circumstances permit, initial responding deputies should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Deputies should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather

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intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When department personnel are confronted with a Non-Criminal Barricade Incident, it is particularly important to remember, that when dealing with involved family members, officers should avoid making any promises or commitments to anyone, whether that person is involved or not, that would lead that person to believe our agency is guaranteeing the safety of anyone involved.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATIONS

Only a deputy who has been designated by the District Attorney or Attorney General may use or authorize the use of an electronic amplifying or recording device to eavesdrop on or record, or both, oral communication in response to an emergency situation involving a hostage or the barricading of a location, and only when (Penal Code § 633.8(b)):

(a) The deputy reasonably determines an emergency situation exists that involves the immediate danger of death or serious physical injury to any person within the meaning of 18 USC § 2518(7)(a)(i),

(b) The deputy reasonably determines that the emergency situation requires that eavesdropping on oral communication occur immediately, and

(c) There are grounds upon which an order could be obtained pursuant to 18 USC § 2516(2).

(d) An application for an order approving the eavesdropping and complying with the requirements of Penal Code § 629.50 is made within 48 hours of the beginning of the eavesdropping.

(e) The contents of any oral communications overheard are recorded on tape or other comparable device.

407.4 FIRST RESPONDER CONSIDERATIONS

First responding deputies should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding deputy should immediately request a supervisor's response as soon as it is determined that a hostage or criminal barricade situation exists. The first responding deputy shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The deputy shall continually evaluate the situation, including the level of risk to deputies, to the persons involved and to bystanders, and the resources currently available.

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The handling deputy should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, deputies handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) If there are victims on scene who are in imminent peril (e.g. active shooter with victims who have life threatening injuries) and emergency medical services are unable to reach the victims due to the threat posed by the suspect, reasonable attempts should be made to neutralize the threat posed by the suspect as soon as possible in order to render aid to the victims.

(c) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(d) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(e) Provide responding emergency personnel with a safe arrival route to the location.

(f) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.

(g) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.

(h) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(i) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(j) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).

(k) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(l) Establish a command post.

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407.4.2 HOSTAGE SITUATION

Deputies presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that deputies react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).

(d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.

(e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(f) Provide responding emergency personnel with a safe arrival route to the location.

(g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.

(h) Coordinate pursuit or surveillance vehicles and control of travel routes.

(i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.

(j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

(k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the PIO.

(m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a

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Special Weapons and Tactics Team (SWAT) response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.

(b) Ensure the completion of necessary first responder responsibilities or assignments.

(c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.

(d) Establish a command post location as resources and circumstances permit.

(e) Designate assistants who can help with intelligence information and documentation of the incident.

(f) If it is practicable to do so, arrange for video documentation of the operation.

(g) Consider contacting utility and communication providers to restrict such services (e.g., restricting electric power, gas, telephone service).

1. When considering restricting communication services, a supervisor should make the determination that there is reason to believe an emergency situation exists involving immediate danger of death or great bodily harm and that an interruption to communication services is necessary to protect public safety (Penal Code § 11471). The supervisor must ensure the Department obtains a court order, in accordance with Penal Code § 11472, prior to requesting the interruption. In the case of an extreme emergency when there is insufficient time to obtain an order prior to the request, application for the order must be submitted within six hours after initiating the interruption. If six hours is not possible, then the application for the court order shall be made at the first reasonably available opportunity, but no later than 24 hours in accordance with Penal Code § 11475.

(h) Ensure adequate law enforcement coverage for the remainder of the County during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Communications Center.

(i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.

(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

407.6 SWAT RESPONSIBILITIES

The Incident Commander will decide, with input from the SWAT Commander, whether to deploy SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the SWAT.

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The Incident Commander and the SWAT Commander or the authorized designee shall maintain communications at all times.

407.7 TACTICAL DISENGAGEMENT

Tactical Disengagement is a recognized tactic that may be considered whenever department personnel reasonably believe that continued contact may result in unreasonable risk of harm to the subject, department members, and the public. This tactic is not only a consideration in situations involving criminal investigations, but, likewise when dealing with suicidal subjects or persons believed to be experiencing a mental health crisis.

The actions of first responders will be weighed against the information known, governmental interests, subject's actions, and efforts to de-escalate the situation. First responders may choose to tactically disengage to avoid resorting to force when it is determined the primary concern is self-harm by the subject, and the subject has not committed a serious or violent crime. The decision to disengage should be in consideration of the totality of circumstances, including watch commander approval and, if available, in consultation with Ventura County Behavioral Health Crisis Team. In situations where the decision is made to strategically disengage, Ventura County Behavioral Health Crisis Team shall be notified when time allows. This notification provides Ventura County Behavioral Health Crisis Team information for possible contact, at a later date and time, when the subject may be more receptive to intervention. In addition to other reports, a CIT card shall be completed.

407.8 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling deputy at the scene is responsible for completion and/or coordination of incident reports.

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Ride-Along Policy

408.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

408.1.1 ELIGIBILITY

The Ventura County Sheriff's Office Ride-Along Program is offered to residents, students and those employed within the County. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

408.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are between 0700 and 2300 hours. Exceptions to this schedule may be made as approved by the administrative sergeant or designee.

408.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the administrative sergeant or his/her designee. The participant will complete a ride-along waiver form. Information requested will include a valid ID or California driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The administrative sergeant or his/her designee will schedule a date, based on availability. If approved, the ride along information will be documented on the daily schedule. If the ride-along is denied after the request has been made, a representative of the department will contact the applicant and advise him/her of the denial.

408.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: cadets, explorers, chaplains, reserves, sheriff's applicants, and all others with approval of the administrative sergeant or designee.

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An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the deputy's vehicle at a given time.

Ride along participants will wear the Citizen/Observer ID visible on their outer clothing during the entire ride along.

408.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, t-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the sheriff's vehicle. The watch commander or field supervisor may refuse a ride along to anyone not properly dressed.

408.2.3 OUTSIDE AGENCY RIDE-ALONGS

Members of any other law enforcement agency will not be permitted to ride-along with patrol deputies without the expressed consent of the watch commander. In the event that such a ride-along is permitted, the outside agency off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

408.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Ventura County Sheriff's Office). When a Criminal History Systems check is completed the ride-along form must be signed by the requester and retained for three years. The query reason of "Officer Safety/RideAlong" or "Facility Security/SitAlong" should be documented in the Criminal History search screen. (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

408.3 ADMINISTRATIVE RESPONSIBILITY

The deputy shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Deputies shall consider the safety of the ride-along at all times. Deputies should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another sheriff's unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The deputy will collect the Citizen/Observer ID at the conclusion of the ride along and ensure that it is returned to the administrative sergeant or designee.

The administrative sergeant or designee is responsible for maintaining and scheduling ride-alongs.

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408.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the deputy

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any sheriff's equipment

(c) The ride-along may terminate the ride at any time and the deputy may return the observer to their home or to the station if the ride-along interferes with the performance of the deputy's duties

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety

(e) Deputies will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen

(f) When entering a private residence, the deputy should identify the ride along as a citizen observer to the resident.

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Hazardous Material Response

409.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities. To comply with 8 CCR § 5194, the following is to be the policy of this department.

409.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material – A substance which, by its nature, containment, or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

409.2 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When members come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver's manifest, or statements from the person transporting).

(b) Notify the fire department.

(c) Provide first-aid for injured parties if it can be done safely and without contamination.

(d) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.

(e) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).

(f) Notify the Department of Toxic Substances Control. This is mandatory when a deputy comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety Code § 79355).

409.3 REPORTING EXPOSURE

Department members who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an employee memorandum that shall be forwarded via chain of command to the Watch Commander as soon as practicable. Should the affected member be unable to document the

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exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report as applicable.

409.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that a member has been exposed to a hazardous material, the supervisor shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of members, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the fire department.

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Tactical Negotiations Unit (TNU) Activation

410.1 PURPOSE AND SCOPE

The Tactical Negotiations Unit (TNU) provides a team of highly trained individuals capable of responding to critical incidents involving persons who are in crisis, suicidal, barricaded, or engaged in hostage taking or terrorism activities. The objective of the unit is to resolve incidents peacefully where possible through the application of skilled negotiation techniques. Because of the need to alert and quickly place a team of negotiators at the scene of a critical incident, any sworn member of the department may initiate a request for TNU by contacting the watch commander. Authorization to actually activate the teams rests with the watch commander.

410.1.1 PROCEDURE

1. The watch commander shall activate TNU under the following circumstances:
    (a) Any incident involving the taking of hostages.
    (b) Armed barricaded suspect(s).
    (c) Any other situation where SWAT has been deployed.
2. At his or her discretion, the watch commander may activate TNU for;
    (a) Suicidal or emotionally disturbed subjects who present a potential for harm to themselves or others.
    (b) Any other incident the watch commander may deem appropriate.

Once the necessity to activate TNU has been determined, the watch commander shall notify the TNU captain, or in the absence of the captain, a team sergeant. At the time of the notification, the watch commander should provide the following information:

- The nature of the incident, including information regarding weapons/explosives believed to be possessed by any involved party.
- A description of the location (e.g. industrial area, residential area, open terrain, etc.).
- The address and exact location of the command post and the name of the incident commander.
- The best or designated route to the command post without driving past the suspect's location.
- The radio frequency of the operation.
- Any available information of the involved parties.

In coordination with the SWAT captain, TNU personnel may assist with or stage at a designated location during the execution of high-risk arrest or search warrants. In such cases the SWAT captain shall coordinate the response with the TNU captain. TNU shall be activated with a SWAT response in situations where use of negotiators may facilitate a successful resolution and patrol

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resources are sufficient to manage the scene (i.e. emotionally distraught individuals who are clearly unarmed and do not pose a threat to the public or law enforcement).

410.2 DEPLOYMENT

Due to the critical importance of negotiations it is desirable they be initiated as soon as practical. Many times patrol personnel will have already initiated negotiations prior to the activation of TNU. At the discretion of the incident commander any TNU member may begin or take over the negotiation process prior to the arrival of other team members.

Upon arrival at the scene, the TNU captain shall report to the incident commander for an updated briefing. The incident commander shall assign a mission to the TNU and request them to deploy.

The incident commander is in control of the operation.

Because TNU is trained in a variety of methods and tactics that may not be universally known to all supervisory/management members of the department, the TNU captain shall select the appropriate negotiations strategies to be employed.

Because crisis negotiations require mental concentration and active listening skills it is important to limit personnel in and around the negotiations operations center (NOC). Only those individuals directly involved with negotiations should be permitted in the immediate area of the NOC.

410.3 REQUEST BY OUTSIDE AGENCIES

It is the policy of the department to assist another agency in time of need provided the agency has made a reasonable, independent effort to resolve the incident.

All requests for TNU made by outside agencies may be made during normal business hours by contacting the Sheriff's Office, any division assistant sheriff, TNU administrative commander, or the watch commander. After hour requests for TNU can be made through the watch commander. The watch commander shall notify his or her division assistant sheriff whenever TNU is requested by or activated pursuant to a request made by an outside agency.

Upon requesting assistance from Sheriff's TNU, the representative of the requesting agency shall be informed of the following:

(a) Each request for assistance from Sheriff's TNU must be made by the chief executive officer of the requesting agency (i.e. Chief of Police, Sheriff, Director, etc.) or a designee.

(b) The Operations Assistant Sheriff,or designee, must approve each request.

(c) Upon authorized approval, TNU will assist requesting agencies on either a primary or secondary basis.

Primary Assistance- The Sheriff's TNU shall assume the primary role for negotiations. The team leader, primary and secondary negotiators, and scribe positions shall be limited to members of the Ventura County Sheriff's Office TNU. TNU will respond to the scene of an incident where the TNU captain will consult with the requesting agency's on-scene supervisor. Should agreement

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regarding negotiating strategy not be reached, the TNU captain will decline to provide primary assistance and offer to provide secondary assistance.

Secondary Assistance- Sheriff's TNU will assume a support role to the requesting agency's negotiating team. The requesting agency will retain complete operational responsibility and control of the incident. The TNU captain and contingent of negotiators will respond to the scene of the incident and coordinate with and accept assignments from the incident commander of the requesting agency. The integrity of the Sheriff's TNU will remain intact and under the direct supervision and control of the TNU captain.

Any agency requesting Sheriff's TNU respond to an incident within the jurisdictional boundaries of such agency shall be responsible for the following:

(a) Command Post Negotiations Operating Center (NOC) and sufficient security for the NOC.

(b) Assigned media area and PIO.

(c) Initial intelligence information relative to the incident.

(d) Providing appropriate and reasonable sustenance (food,drinks,restrooms) for protracted events.

The requesting agency will assign a sworn law enforcement liaison to the NOC throughout the duration of the event.

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Response to Bomb Calls and Found Explosives

411.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Ventura County Sheriff's Office in the response and handling of incidents involving:

(a) Bomb Threats

(b) Suspected or actual Improvised Explosive Devices (I.E.D.'s)

(c) Explosives

(d) Military Ordnance

(e) Incidents involving an explosion or an intentional bombing

(f) The handling of fireworks and professional pyrotechnics

Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety of all involved should always be the primary concern. When unsure, patrol personnel always have the ability to seek additional clarification from Bomb Squad members.

411.2 POLICY

It is the policy of the Ventura County Sheriff's Office to place a higher priority on the safety of the first responders and the public over damage to public or private property.

All suspected explosives and/or explosive devices shall be handled ONLY by the Sheriff's Bomb and Arson Unit. This does not include the handling of fireworks and/or commercial explosive powders used in loading/reloading of ammunition.

411.3 RECEIPT OF A BOMB THREAT AND RESPONSE TO A BOMB RELATED CALL

411.3.1 CALL-TAKER RESPONSIBILITIES

A. Upon receipt of a bomb threat, the call-taker will attempt to keep the caller on the line and obtain as much additional information as possible by asking the following questions (listed in order of importance)

1. When is the bomb going to explode?
2. Where is the bomb right now?
3. What does the bomb look like?
4. What kind of bomb is it?
5. What will cause the bomb to explode?
6. Did you place the bomb?
7. Why did you do this?
8. Is there more than one bomb?

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9. What is your name and/or your group's name?

B. The call-taker should note varying characteristics, such as the caller's voice, the caller's mood and any background noises that may be detected.

C. The call-taker will generate a call for service and promptly forward the call to the dispatcher.

D. The call-taker should then ensure the Watch Commander is immediately advised and informed of the details. This will enable the Watch Commander to ensure that appropriate personnel are dispatched. When appropriate, the Watch Commander can provide advanced warning to the threatened location.

E. In any event a call-taker is involved in the report of a suspicious package, improvised explosive device or any other object though to contain explosives, the call-taker should inform the reporting party that all persons who have direct knowledge of the device be kept in a safe area away from the device. This is to ensure that Bomb Squad personnel can have direct contact with them upon their arrival and have access to the best possible source of information.

[redacted]

411.3.2 RESPONDING DEPUTY(S) RESPONSIBILITIES

A. Any deputy answering a bomb call, bomb threat call, report of a suspicious package or item thought to contain explosives or a destructive device (as defined in 16460(a) PC) shall turn off and suspend the use of any wireless communication device within 500 feet of the location. Wireless communication devices include: Patrol radios, in-vehicle computers, body-worn cameras, personal smart wearables such as watches, glasses, or rings that are capable of sending or receiving data, and any other handheld wireless devices. Any phone calls made while inside the 500 foot perimeter should be made via landline. Cellular telephones should be placed in "Airplane Mode" so they can be used to take photographs if the need arises. Should an emergency situation arise where communication is immediately necessary, on-scene personnel can consider using their cellular telephones. When confronted with an immediate threat, such as an active bomber, patrol radios are also an option, but should only be considered as a last resort when the safety of personnel and public are in jeopardy. Body-worn cameras should only be activated after the scene has been deemed safe.

B. In the case of a "bomb threat" ONLY, the deputy will conduct an investigation and determine if a search should be made, the deputy will provide assistance to the person in charge of the premises. This assistance can include what to look for and how to safely conduct the search. Should the deputy feel it necessary, additional personnel can be summoned to facilitate the search of the premises.

1. Prior to a search being conducted or in the event that NO suspected device or suspicious package is located after a search, the decision to evacuate a building, school or area is the responsibility of:

(a) The owner, tenant or other person in charge if a private building is involved.

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(b) The school principal or authorized representative if a school is involved.

(c) The department head or authorized representative if a public building is involved.

C. If at any time a suspicious package, improvised explosive device or any other object thought to contain explosives is found, the deputy SHALL NOT touch or disturb the item in any way. Should a deputy be in possession of a cellular telephone in "Airplane Mode" and if time and safety concerns warrant such action, a photograph may be taken by the deputy prior to clearing the area and facilitating an evacuation.

D. In any case where a suspicious package, improvised explosive device or any other object thought to contain explosives is found, patrol personnel on scene shall initiate an evacuation of the area. The primary deputy will notify the Watch Commander of the circumstances as soon as practical, keeping in mind the communication standards previously stated in this policy.

1. The information provided to the Watch Commander should include:

(a) The exact location of the device.

(b) A detailed description of the device and the potential or anticipated danger area based on the size/shape of the device.

(c) The intended area to be evacuated.

(d) It is important to provide as much detailed information as possible so that Bomb Squad personnel can properly respond to the event.

E. Deputies at the scene should ensure that all persons who have direct knowledge of the device be kept in one area so that Bomb Squad personnel can have direct contact with them upon their arrival.

F. Upon being notified that a suspicious package, improvised explosive device or any other object thought to contain explosives exists, the Watch Commander shall notify the on-call representative of the Bomb Squad to inform them of the situation.

G. The deputy(s) on scene will make every attempt to establish and secure a 500 foot perimeter by evacuating the area and keeping all persons behind cover at a safe distance. In some cases when a complete evacuation is not feasible due to the environment or the size of the building, the deputy has the discretion to instruct persons to "shelter in place." The decision to do so should only be made after taking into consideration the size of the suspected device and the possible damage caused should the device detonate

411.4 BOMB THREATS OR RESPONSE TO A BOMB RELATED CALL INVOLVING U.S. GOVERNMENT FACILITIES AND/OR PROPERTY

A bomb threat or bomb related call involving or targeting a U.S. Government facility may require a different response based on the governmental agency and the type of facility involved. In some cases, the building or office space is not specifically identified as a U.S. Government facility. However, any building containing U.S. Government employees, or an office space

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occupied by U.S. Government employees within a building, is the jurisdiction of the Federal Government. Although each governmental agency may have slightly different protocols, typically these protocols will incorporate the response of local law enforcement. This response will most likely be in conjunction with a response from the Federal Bureau of Investigation (F.B.I.), who has investigative oversight in all situations involving federal buildings and employees. Typical protocol for U.S. government employees involved with the bomb threat or bomb related call would be to report the situation to local law enforcement via normal 911 procedures. Should the assistance of the Sheriff's Office be requested via 911, any assistance provided will be for the primary purpose of protecting the safety of all involved. In addition, government employees will most likely report the situation to the F.B.I. via their 24-hour Operations and Communications Center.

Bomb threats received by Sheriff's Office personnel specifically targeting a military installation within the County of Ventura will be handled the same as any other bomb threat. This information will immediately be forwarded to the military police or security responsible for the installation.

Ventura County Sheriff's Office bomb technicians work closely with F.B.I. Special Agent Bomb Technicians on a regular basis and can be utilized by the Watch Commander at any time to establish a line of communication should one be necessary.

411.5 RESPONDING TO AN EXPLOSION OR BOMBING INCIDENT

When an explosion or bombing has occurred, there are numerous considerations to be made by responding deputies. A rapid response by patrol personnel is the key to minimizing further injuries to those involved and the contamination of the crime scene by gathering crowds. Whether the explosion was an accident or a result of a criminal act, it is imperative that patrol personnel be aware of, and consider, many things.

(a) Prior to arrival, patrol personnel should be aware of where they park and consider the possibility of additional devices positioned to cause harm to first responders upon their arrival to the scene.

(b) Once on scene and in an effort to establish a "safe area", a thorough search of the surrounding area for additional devices MUST be made. If any devices are found, their location should be noted and the search should continue in case there are more devices present.

(c) While conducting a search for additional devices patrol personnel should be evaluating the area and taking additional precautions to mitigate scene hazards such as collapsed structures or hazardous materials.

(d) Patrol personnel should then establish a specific safe location for first responders to stage, as well as enter and exit the affected area. This will ensure first responders are working in a safe area and the crime scene is preserved.

(e) Patrol personnel should then assess the scope of the incident and establish how many are injured and the extent of their injuries. This information should be passed on to

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the Watch Commander and responding personnel so that appropriate resources are submitted.

411.7 COMMERCIAL FIREWORKS AND EXPLOSIVE POWDERS

During the course of normal duties, patrol personnel have the potential of encountering varying types of commercial fireworks. Commercial fireworks have labeling and warnings that would be typical of something mass produced for sale to the public. ALL fireworks are to be handled with care. "Safe and Sane" fireworks are clearly marked as such and they should be booked into the designated location that exists at each station. The handling of Safe and Sane fireworks should include ensuring they are kept away from any heat source or open flame.

All fireworks that do not have Safe and Sane marking are considered "Dangerous Fireworks" per Health and Safety Code 12505. Simply stated, Dangerous Fireworks are devices that explode, rise in the air, or move along the ground. As a rule, firecrackers (commonly known as a "Black Cat") and anything larger are considered Dangerous Fireworks. When patrol personnel encounter Dangerous Fireworks, extreme care should be taken and they should be kept away from any heat source or open flame. When Dangerous Fireworks (commonly known as an "M-80") or smaller are encountered, the Dangerous Fireworks can be treated the same as Safe and Sane fireworks and booked into the designated location that exists at each station.

When patrol personnel encounter any dangerous firework that is larger than what was previously described; the patrol deputy shall contact their supervisor to determine the safest course of action. Deputies and supervisors should consider the size and amount of Dangerous Fireworks when assessing the situation. Should there be any concern, that concern should be conveyed to the Watch Commander so that on-call Bomb Squad personnel can be contacted for guidance or response. Keep in mind, any modified firework is considered a Destructive Device (16460 P.C.).

In the event patrol personnel encounter a person in possession of chemicals used in the manufacturing of fireworks or explosive powders, Bomb Squad personnel should be contacted. This does not include the lawful possession of commercial explosive powders already mixed and commercially sold for the use in loading/reloading of ammunition.

411.7 MUTUAL AID ASSISTANCE

The Ventura County Sheriff's Bomb Squad is responsible for the handling of all suspected explosives and/or explosive devices within the County of Ventura. As such, other law enforcement agencies within the County of Ventura can request the assistance of the Sheriff's Bomb Squad.

1. The Watch Commander shall be notified when the Sheriff's Office assistance is requested.
2. Should the Watch Commander determine assistance will be rendered, he/she will contact the on-duty Bomb Technician to determine the following:
    (a) The plan for providing assistance.

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(b) The appropriate level of assistance.

(c) The need for additional resources (e.g. Fire, Medical or HazMat).

3. The Watch Commander will then provide a point of contact so the on-duty Bomb Technician can contact an on-scene supervisor to further coordinate the response.

4. At the end of an incident, a member of the Sheriff's Bomb Squad will contact the Watch Commander and provide a description of the assistance provided and the final disposition.

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Mental Illness Commitments / Crisis Intervention Team

412.1 PURPOSE AND SCOPE

This procedure describes a deputy's duties when a person is to be committed to a mental health unit pursuant to Welfare and Institutions Code § 5150. The commitment of a person under § 5150 does not constitute an arrest. If a deputy believes that a person falls within the provisions of Welfare and Institutions Code § 5150, he/she shall transport that person to the designated facility for evaluation and commitment.

412.2 AUTHORITY

Pursuant to Welfare and Institution Code § 5150 when any person, as a result of mental health disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, or other individual authorized by statute may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for treatment and evaluation up to 72 hours.

Such facility shall require an application in writing stating the circumstances under which the person's condition was called to the attention of the deputy, or other individual authorized by statute has probable cause to believe that the person is, as a result of mental health disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than the deputy, or other individual authorized by statute, such person shall be informed that they may be liable in a civil action for intentionally giving a statement which he or she knows to be false.

412.3 DEPUTY CONSIDERATIONS AND RESPONSIBILITIES

A deputy having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the deputy believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, deputies are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

(a) An individual who is providing or has provided mental health treatment or related support services to the person

(b) A family member

(c) The person subject to the determination or anyone designated by the person

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412.3.1 VOLUNTARY EVALUATION

If a deputy encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the deputies should:

(a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.

(b) If at any point the person changes his/her mind regarding voluntary evaluation, deputies should proceed with the 5150 commitment, if appropriate.

(c) Document the circumstances surrounding the person's desire to pursue voluntary evaluation and/or admission.

412.3.2 MENTAL HEALTH DOCUMENTATION

When a person is detained and meets criteria the deputy will complete an Application for 72-Hour Detention for Evaluation and Treatment Form (MH-302 DHCS 1801) and provide it to the staff member assigned to that patient. The deputy will retain a copy of the 72-hour evaluation for inclusion in the case report. The deputy shall also provide a verbal summary to an emergency department staff member regarding the circumstances leading to the involuntary detention. The deputy will complete a CIT card using iCop and complete an Incident Report.

412.3.3 SECURING OF WEAPONS

If a receiving and secured facility prohibits weapons or if an extraordinary event occurs in the treatment facility and deputies determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the sheriff's unit.

412.4 MENTAL HEALTH DISORDER PERSON CHARGED WITH A CRIME

When practical, any person charged with a crime who also appears to have a mental health disorder shall be booked at the Pre Trial Detention Facility.

412.4.1 SECURING OF PROPERTY

When a person is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian or conservator is in possession of the person's personal property, the deputy shall take reasonable precautions to safeguard the individual’s personal property in his/her possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

The deputy taking the person into custody shall provide a report to the court that describes the person’s property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the deputy shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150).

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412.5 CONFISCATION OF FIREARMS AND OTHER WEAPONS

Whenever a person has been detained or apprehended for examination pursuant to Welfare and Institutions Code § 5150, the handling deputy shall seek to determine if the person owns or has access to any firearm or other deadly weapon. Any such firearm or other deadly weapon shall be confiscated in a manner consistent with current search and seizure law (Welfare and Institutions Code § 8102(a)).

Deputies are cautioned that a search warrant may be needed before entering a residence or other place to search unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent) (Penal Code § 1524).

For purposes of this section, deadly weapon means any weapon, the possession of which or carrying while concealed, is prohibited by Penal Code § 19100; 21310.

The deputy taking custody of any firearm or other deadly weapon shall issue the individual possessing such weapon a receipt, fully describing the weapon (including any serial number) and indicating the location where the weapon may be recovered, along with any applicable time limit for recovery (Penal Code § 33800).

The handling deputy shall further advise the person of the below described procedure for the return of any firearm or other deadly weapon that has been confiscated (Welfare and Institutions Code § 8102(a)). For purposes of this section deadly weapon means any weapon that the possession of or carrying while concealed is prohibited by Penal Code § 19100; 21310.

412.5.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS

(a) Whenever the handling deputy has cause to believe that the future return of any confiscated weapon(s) might endanger the person or others, the deputy shall detail those facts and circumstances in a report. The report shall be forwarded to the Detective Bureau which shall be responsible for initiating a petition to the superior court for a hearing in accordance with Welfare and Institutions Code § 8102(b), to determine whether or not the weapon(s) will be returned.

(b) The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon(s) have been confiscated unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the department shall send written notice to the individual informing him or her of the right to a hearing on the issue and that he or she has 30 days to confirm with the court clerk any desire for a hearing and that failure to do so will result in the forfeiture of any confiscated weapon(s).

(c) If no petition is initiated within the above period, the department shall make the weapon(s) available for return in accordance with subsection (d) below. If the person does not confirm a desire for a hearing within the prescribed 30 days, the department may file a petition for an order of default.

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(d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice.

(e) In no case in which a firearm or other deadly weapon is not retained as evidence shall the department be required to retain such firearms or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 12021.3(g)).

412.6 TRAINING

As a part of advanced officer training programs, the Ventura County Sheriff's Office will endeavor to include POST approved training on interaction with persons with a mental health disorder as provided by Penal Code § 13515.25.

412.6.1 CRISIS INTERVENTION TEAM ACTIVATION

The Ventura County Sheriff's Office and other County law enforcement agencies utilize Crisis Intervention Team (CIT) members in calls for service involving persons with a known or suspected mental health disorder when circumstances are appropriate.

A. Procedure

1. Criteria for CIT deployment

(a) Suicidal or emotionally disturbed subjects in crisis who present a potential for harm to themselves or others

(b) Any other incidents the Watch Commander may deem appropriate.

2. CIT members may also respond to dispatched calls within their patrol jurisdiction when they recognize the need and have notified SCC.

3. Any member of the Department may initiate a request for a CIT member by contacting SCC.

B. Call-Taker and Dispatcher

1. On all calls involving persons with a known or suspected mental health disorder in crisis or involved in a disturbance, where a CIT member is the primary unit, dispatchers will use the following criteria when creating a call for service:

(a) Mental health disorder illness has precipitated a response by law enforcement officers.

(b) Crisis related calls where individuals pose a risk to themselves or others, or who are in psychological or emotional crisis.

C. Call-Taker Procedure

1. The dispatcher will update the call with supplemental information indicating that a CIT member is needed.

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2. The dispatcher will assign a CIT member to the call. If no CIT member is available in that jurisdiction, the nearest available CIT member from an adjoining jurisdiction will be requested by the Watch Commander. If no CIT member is available, the dispatcher will assign non-CIT personnel.
3. The call taker or dispatcher is responsible for entering CIT in the call narrative as soon as it appears as though it is a CIT-related incident.

D. CIT Personnel Response

1. CIT members that respond outside their jurisdiction are responsible for CIT-related issues only. Officers in the requesting jurisdiction shall be responsible for the initial report and investigation.
2. Functional supervision of the CIT member rests with the supervisor in the requesting jurisdiction.
3. If a mentally ill individual is a victim of a crime, a non-CIT member has the discretion to request a CIT member to respond to assist.
4. CIT members are responsible for completing a CIT card (using iCop) for each contact.

Any contact with a person with a mental health disorder requires completion of a CIT card (using iCop), whether or not CIT members respond.

412.6.2 CIT V.O.I.C.E ACTIVATION

The Ventura County Sheriff's Office utilizes Crisis Intervention Team (CIT) members in calls for service involving persons with a known or suspected mental health disorder. The Ventura County Sheriff’s Office recognizes as well that veterans of our military often suffer from mental health issues related to their service such as Post Traumatic Stress Disorder (PTSD). Because of this, CIT has specially trained deputies who are veterans of the United States military, and when feasible, they are utilized when the person in crisis is a veteran. This collateral assignment within CIT is called V.O.I.C.E. (Veteran’s Outreach In Crisis Events)

A. Procedure

1. Criteria for VOICE deployment
   (a) Suicidal or emotionally disturbed subjects in crisis who present a potential for harm to themselves or others and is a veteran of the military.
   (b) Any other incidents the Watch Commander may deem appropriate where a VOICE trained deputy may be available.
2. Any member of the Sheriff’s Office may initiate a request for a VOICE member by contacting SCC or the Watch Commander.

B. Dispatcher

1. On Calls involving persons with a known or suspected mental health disorder in crisis or involved in a disturbance and it is determined they are a veteran; dispatchers will use the following criteria when creating a call for service.

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(a) Crisis related calls where individuals pose a risk to themselves or others, or who are in psychological or emotional crisis and are veterans.

(b) Mental health disorder illness has precipitated a response by law enforcement officers

C. Dispatcher Procedure

1. The dispatcher will update the call with supplemental information indicating that a CIT-VOICE member is needed.

2. The dispatcher will assign a VOICE member to the call if available and working. If no VOICE member is available in that jurisdiction, the nearest available VOICE member from an adjoining Sheriff's jurisdiction will be requested by the Watch Commander with call volume being taken into consideration. If no VOICE member is available, the dispatcher will assign a trained CIT deputy.

3. The dispatcher is responsible for entering "VOICE" in the call narrative as soon as it appears as though it is a CIT-VOICE related incident.

D. VOICE Personnel Response

1. VOICE members that respond outside their jurisdiction are responsible for CIT-VOICE related issues only. Deputies in the requesting jurisdiction shall be responsible for the initial report and investigation, including any 5150 application.

2. Functional supervision of the VOICE member rests with the supervisor in the requesting jurisdiction.

3. If the person suffering from a mental health emergency is a victim of a crime, the primary unit has the discretion to request a VOICE member to respond to assist.

4. VOICE members are responsible for completing a CIT card only (using iCop) for each contact.

Any contact with a person who suffers from a mental health disorder who is a veteran requires completion of a CIT card using iCop, whether or not a VOICE member responds.

If no VOICE member is working at the time a VOICE trained deputy is requested, then a CIT trained deputy will handle the call. At the conclusion of the call, the deputy will and send an email to the VOICE sergeant with the name and contact information of the veteran. The VOICE sergeant will delegate follow-up to a VOICE member. The follow-up will consist of communication between the veteran and the VOICE member to ensure a smooth transition to appropriate services.

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Arrest or Detention of Foreign Nationals

413.1 PURPOSE AND SCOPE

Article 36 of the Vienna Convention on Consular Relations, sets forth certain rights of foreign nationals from member countries when arrested, detained or imprisoned by law enforcement officials in this country. This section provides direction to deputies when considering a physical arrest or detention of a foreign national. All foreign service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. As noted herein, the United States is a party to several bilateral agreements that obligate authorities to notify the consulate upon the person's detention, regardless of whether the detained person requests that his/her consulate be notified. The list of specific countries that the United States is obligated to notify is listed on the U.S. Department of State website: https://travel.state.gov/content/travel/en/consularnotification

413.1.1 DEFINITIONS

Foreign National - Anyone who is not a citizen of the United States (U.S.). A person with dual-citizenship, U.S. and foreign, is not a foreign national.

Immunity - Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments. These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official "missions (i.e., embassies, consulates, etc.) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized and to maintain reciprocal treatment of U.S. personnel abroad. Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the U.S. Department of State's Office of Foreign Missions (OFM) that illegal acts by Foreign Service personnel should always be pursued through proper channels. Additionally, the host country's right to protect its citizens supersedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of public safety or the commission of a serious crime, regardless of immunity claims.

413.2 ARREST OR DETENTION OF FOREIGN NATIONALS

Deputies should take appropriate enforcement action for all violations observed, regardless of claims of diplomatic or consular immunity received from violators. A person shall not, however, be subjected to in-custody arrest when diplomatic or consular immunity is claimed by the individual or suspected by the deputy, and the deputy has verified or reasonably suspects that the claim of immunity is valid.

413.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

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(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.

(c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

413.3.1 DIPLOMATIC AGENTS

Diplomatic agents (e.g., ambassadors and United Nations representatives) are afforded the highest levels of immunity. They are exempt from arrest or detention and are immune from all criminal (and most civil) prosecution by the host state. The family members of diplomatic agents enjoy these same immunities. Currently there are no diplomatic agents permanently assigned to California; but they do occasionally visit the state.

413.3.2 CONSULAR OFFICERS

Consular officers are the ranking members of consular posts who perform various formal functions on behalf of their own governments. Typical titles include consul general, consul, and vice consul. These officials are immune from arrest or detention, except pursuant to a felony warrant. They are only immune from criminal and civil prosecution arising from official acts. Official acts immunity must be raised as an affirmative defense in the court jurisdiction, and its validity is determined by the court. Under this defense, the prohibited act itself must have been performed as an official function. It is not sufficient that the consular agent was on-duty or in an official capacity at the time of the violation. The family members of consular officers generally enjoy no immunity, however, any family member who enjoys a higher level of immunity is issued an identification card by Department of State (DOS) enumerating any privileges or immunities on the back of the card. Examples are consular officers and family members from Russia or China.

There are approximately 600 consular officers in California, with most located in Los Angeles, San Francisco and San Diego.

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413.3.3 HONORARY CONSULS

Honorary consuls are part-time employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained; limited immunity for official acts may be available as a subsequent defense. Family members have no immunity. There are less than 100 honorary consuls in California.

413.4 IDENTIFICATION

All diplomatic and consular personnel who are entitled to immunity are registered with the Department of State and are issued distinctive identification cards by the Department of State Protocol Office. These cards are the best means of identifying Foreign Service personnel. They include a photograph, identifying information, and, on the reverse side, a brief description of the bearer's immunity status. Unfortunately, these identification cards are not always promptly issued by the Department of State. In addition to the Department of State identification card, Foreign Service personnel should also have a driver license issued by the Department of State Diplomatic Motor Vehicle Office (DMVO), which in most circumstances replaces the operator's license issued by the state. Additionally they may have California credentials issued by the California Emergency Management Agency (Cal EMA).

413.4.1 VEHICLE REGISTRATION

Vehicles that are owned by foreign missions or Foreign Service personnel and their dependents are registered with the Department of State OFM and display distinctive red, white, and blue license plates. Vehicles assigned to diplomatic or consular officers will generally have license plates labels with the words "diplomat or "consul. Vehicles owned by honorary consuls are not issued OFM license plates; but may have California license plates with an "honorary consul label. Driver's identity or immunity status should not be presumed from the type of license plates displayed on the vehicle. The status of an OFM license plate should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US as the state, if the deputy has reason to question the legitimate possession of the license plate.

413.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

413.5.1 CITABLE OFFENSES

An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. The issuance of a citation is not considered an arrest or detention under current Department of State guidelines. Whenever the equivalent of a notice to appear is issued to an immunity claimant, the following additional procedures shall be followed by the arresting deputy:

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(a) Identification documents are to be requested of the claimant

(b) The title and country represented by the claimant are to be recorded on the back of the deputy's copy of the Notice to Appear for later reference. Do not include on the face of the notice to appear

(c) The claimant shall be requested to sign the notice to appear. If the claimant refuses, the identity and immunity status of the individual shall be conclusively established

(d) Verified diplomatic agents and consular officers, including staff and family members from countries with which the U.S. has special agreements, are not required to sign the Notice to Appear. The word "Refused shall be entered in the signature box, and the violator shall be released

(e) Verified consular staff members, excluding those from countries with which the U.S. has special agreements, are generally obligated to sign the Notice to Appear, but a signature shall not be required if their immunity status is uncertain

(f) All other claimants are subject to the provisions of Vehicle Code § 40302(b) and policy and procedures outlined in this chapter

(g) The violator shall be provided with the appropriate copy of the notice to appear

413.5.2 IN-CUSTODY ARRESTS

Diplomatic agents and consular officers are immune from arrest or detention (unless they have no identification and the detention is to verify their diplomatic status). Proper identification of immunity claimants is imperative in potential in-custody situations. Claimants who are not entitled to immunity shall be placed in custody in accordance with the provisions outlined below in the DIPLOMATIC IMMUNITY TABLE.

A subject who is placed under arrest and claims diplomatic or consular immunity shall not be physically restrained before verification of the claim (unless restraint is necessary for the protection of the deputy or others.)

A supervisor shall be promptly notified and should respond to the scene when possible.

Field verification of the claimant's identity is to be attempted as follows:

(a) Identification cards issued by the Department of State, Protocol Office, are the only valid evidence of diplomatic or consular immunity. The following types of identification cards are issued: Diplomatic (blue bordered), Consular (red bordered), and Official (green bordered), The Department of State identification cards are 3-3/4 inch by 1-1/2 inch and contain a photograph of the bearer.

(b) Initiate telephone verification with the Department of State. Newly arrived members of diplomatic or consular missions may not yet have official Department of State identity documents. Verify immunity by telephone with the Department of State any time an individual claims immunity and cannot present satisfactory identification, the deputy has reason to doubt the claim of immunity, or there is a possibility of physical arrest. Law enforcement personnel should use the following numbers in order of preference:

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Office of Foreign Missions	Office of the Foreign Missions
San Francisco, CA	Los Angeles, CA
(415) 744-2910, Ext. 22 or 23	(310) 235-6292, Ext. 121 or 122
(415) 744-2913 FAX	(310) 235-6297 FAX
(0800-1700 PST)	(0800-1700 PST)
Office of Foreign Missions	Department of State
Diplomatic Motor Vehicle Office	Diplomatic Security Service
Washington D.C.	Command Center
(202) 895-3521 (Driver License Verification) or	Washington D.C.
(202) 895-3532 (Registration Verification)	(202) 647-7277
(202) 895-3533 FAX	(202) 647-1512
(0815-1700 EST)	(Available 24 hours)
	(202) 647-0122 FAX

Members of diplomatic or consular missions also may have other forms of identification. These include identification cards issued by California Emergency Management Agency (Cal EMA), local law enforcement agencies, the foreign embassy, or consulate; driver licenses issued by Department of State; and, Department of State license indicia on the vehicle. All these items are only an indication that the bearer may have some form of immunity.

Subjects verified through the above procedures as being officials entitled to immunity (diplomatic agent, consular officers and consular staff and family members from countries with which the U.S. has special agreements) may not be arrested. The procedures below shall be followed. These procedures should also be used in the event immunity cannot be verified, but another form of identification indicates that immunity is probable.

If the release of the violator will not create an additional hazard, adequate information to properly identify the violator shall be obtained then the official shall be released. A supervisor's approval for the release shall be obtained whenever possible. The necessary release documents and/or a Certificate of Release form should only be issued under the proper conditions.

If the violator appears to have been driving while under the influence, field sobriety tests, including Preliminary Alcohol Screening (PAS) device tests and chemical tests should be offered and obtained whenever possible, however, these tests cannot be compelled. The subject shall not be permitted to drive. A supervisor's approval for release shall be obtained whenever possible and alternative transportation should be arranged.

All facts of the incident shall be documented in accordance with this policy in a Driving Under the Influence (DUI) Arrest-Investigation Report, Arrest-Investigation Report and/or any other relevant Report form. Notwithstanding the field release of the subject, prosecution is still appropriate and

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should be pursued by the command concerned. The Department of State will take appropriate sanctions against errant foreign service personnel, even where prosecution is not undertaken by the agency.

413.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise.	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (c))	No immunity or inviolability

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Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

413.6.1 VEHICLES

Vehicles, which are owned by subjects with full immunity, may not be searched, stored, or impounded without the owner's permission. (Such permission may be assumed if the vehicle has been stolen.) These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.

413.6.2 REPORTS

Traffic Citation

(a) Stopping a person who claims diplomatic immunity and issuing a traffic citation for a violation does not constitute an arrest or detention

(b) As soon as possible, advise the watch commander and request verification with the U.S. Department of State.

1. If the person does not have immunity, proceed normally, per department policy.
2. If the person does have immunity, the watch commander will advise of any special procedures. Follow the instructions below for issuance of a citation.

(c) If the individual has diplomatic immunity, the subject may not be compelled to sign the citation.

(d) A copy of the citation and any other documentation regarding the incident should be faxed to the U.S. Department of State as soon as possible. Write "Diplomatic Immunity" across the top of the citation. The court liaison deputy will maintain the original and await instructions from the Department of State.

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(e) For offenses requiring an appearance, the U.S. Department of State will use the citation and any report as the basis for requesting an "express waiver of immunity". Individuals cited may be given the option of paying the fine or obtaining a waiver in order to contest the charge. The Department of State will advise our department of any actions necessary.

DUI INVESTIGATIONS

(a) As soon as the watch commander has confirmed identity and status, a supervisor should be directed to the scene.

(b) If appropriate, field sobriety exercises should be offered and the results fully documented. The taking of these exercises may not be compelled.

(c) If a deputy determines the individual is too impaired to drive safely, the individual should not be allowed to continue to drive. The deputy should assure the individual that the principal concern is the safety of the public and the individual.

(d) The person is not to be handcuffed, compelled to take field sobriety exercises, or placed in protective custody. The subject will not be placed in the police car unless they request to sit in the car. There are several options:

1. A deputy, with the individual's permission, may take the individual to the station or other location where the individual may recover sufficiently to drive;
2. A deputy may summon, or allow the individual to summon, a friend or relative to drive;
3. A deputy may call a taxi for the individual;
4. With the individual's permission, and when reasonable, a deputy may transport the individual to their destination in the police vehicle;

(e) The property of an individual with diplomatic immunity, including their vehicle, is not subject to impound or seizure. The vehicle is also not subject to search unless deputies can articulate a need to prevent a danger to public safety or prevent a crime from occurring. The vehicle may be towed only the distance necessary to prevent it from endangering public safety or obstructing traffic.

(f) As in all cases, document the incident per department policy. Write "Diplomatic Immunity" across the top of the reports. The court liaison deputy, or investigating detective, shall maintain the originals and await instructions from the Department of State. Copies of the reports and other documentation should be forwarded to the U.S. Department of State as soon as possible.

FOLLOW UP PROCEDURES

(a) It is important that all reports and citations involving suspects with diplomatic immunity are marked, "DIPLOMATIC IMMUNITY" across the top. This notifies filing deputies and records personnel that court action cannot be initiated until we are notified by the U.S. Department of State that:

1. A voluntary waiver has been obtained;
2. A waiver has been enforced by the Department of State;

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3. A cooperative settlement/fine was achieved;

(b) Investigations of an incident involving a suspect who has diplomatic immunity may continue, but an arrest cannot be made without first contacting the U.S. Department of State and obtaining their direction and cooperation in suspending the immunity of the suspect. For additional information use the following website: http://travel.state.gov/law/consular

Traffic Collisions

Persons involved in traffic collisions who possess a Department of State OFM Diplomatic Driver License, issued by the DMVO, shall have "D" coded in the license "class" box of the Traffic Collision Report. The actual driver license class (e.g., 1, 2, 3, or A, B, C, M) shall be entered in the miscellaneous box on page two of the traffic report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country, and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claim at the accident scene should be handled in accordance with the procedures specified in section 412.5 of this chapter.

413.7 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY

These policies and procedures apply to foreign nationals who do not claim diplomatic or consular immunity.

Deputies shall arrest foreign nationals only under the following circumstances:

(a) There is a valid warrant issued for the person’s arrest

(b) There is probable cause to believe that the foreign national has violated a federal criminal law, a state law, or a local ordinance

(c) Deputies shall not arrest foreign nationals solely for alleged undocumented entry into the U.S. unless the undocumented entry is committed in the deputy’s presence

After a lawful detention or criminal arrest, deputies may detain foreign nationals solely for alleged undocumented presence in the U.S. if the U.S. Immigration and Customs Enforcement (ICE) is contacted and can respond to take custody within a reasonable time. Deputies shall not arrest foreign nationals for undocumented presence. Federal courts have consistently held that undocumented presence is not a crime but a federal civil violation only enforceable by federal officers.

- Deputies shall not stop or detain persons solely for determining immigration status.
- International treaty obligations provide for notification of foreign governments when foreign nationals are arrested or otherwise detained in the U.S.
- Whenever a deputy arrests and incarcerates a foreign national or detains a foreign national for investigation for over two hours, the deputy shall promptly advise the individual that he/she is entitled to have his/her government notified of the arrest or detention. (Penal Code § 834c). If the individual wants his/her government notified, the deputy shall begin the notification process.

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413.7.1 ARREST PROCEDURE

Whenever a deputy physically arrests or detains an individual for criminal investigation and the deputy reasonably believes the person to be a foreign national, the deputy shall inquire to determine the person's citizenship.

This procedure applies to detentions of more than two hours. An inquiry is not required if the individual is detained less than two hours for criminal investigation.

If the individual indicates that he/she is other than a U.S. citizen, the deputy shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention (Vienna Convention on Consular Relations, Art. 36, (1969)).

If the individual requests such notification, the deputy shall contact the Communications Center as soon as practical and request the appropriate embassy/consulate be notified. Deputies shall provide the Communications Center with the following information concerning the individual:

- Country of citizenship
- Full name of individual, including paternal and maternal surname, if used
- Date of birth or age
- Current residence
- Time, date, place, location of incarceration/detention and the 24-hour telephone number of the place of detention if different from the Department itself

If the individual claims citizenship of one of the countries for which notification of the consulate/embassy is mandatory, deputies shall provide the Communications Center with the information above as soon as practicable, regardless of whether the individual desires that the embassy/consulate be notified. This procedure is critical because of treaty obligations with the particular countries. The list of countries and jurisdictions that require notification can be found on the U.S. Department of State website.

413.7.2 DOCUMENTATION

Deputies shall document on the face page and in the narrative of the appropriate Arrest-Investigation Report the date and time SCC was notified of the foreign national's arrest/detention and his/her claimed nationality.

413.7.3 WATCH COMMANDER RESPONSIBILITIES

(a) The watch commander will verify the status with the U.S. Department of State, or in the case of the U.N. community with the U.S. Mission to the United Nations.

(b) Be prepared to inform the Department of State of the charges and nature of the incident.

(c) The U.S. Department of State will advise the level of immunity the person has and what their actual status is, as well as the proper procedures to follow in dealing with the person. Each person's degree of diplomatic immunity is based on the position they

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hold. Some persons are protected at all times, while others are only protected during the performance of official acts. In any case, the Department of State will provide very specific instructions on how to proceed.

1. If the person does have diplomatic immunity, notify field deputies of what procedures to follow and direct a field supervisor to respond to the location.

(d) If the person does not have diplomatic immunity, field deputies will be directed to proceed with the contact as usual, per department policy.

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Rapid Response and Deployment

414.1 PURPOSE AND SCOPE

Violence in schools, workplaces and other locations by any individual or group of individuals presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding deputies as they make decisions in these rapidly unfolding and tense situations. This agency understands that violence such as this can at times be preceded by threats of violence; this policy provides guidelines to assist deputies in evaluating threats to schools and other organizations in our communities.

414.2 POLICY

The Ventura County Sheriff's Office will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

414.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding deputies should consider reasonable options to reduce, prevent or eliminate the threat. Deputies must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, deputies should take immediate action, if reasonably practicable, while requesting additional assistance.

Deputies should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action deputies should consider:

(a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.

(b) Whether to wait for additional resources or personnel. This does not preclude an individual deputy from taking immediate action.

(c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.

(d) Whether the suspect can be contained or denied access to victims.

(e) Whether the deputies have the ability to effectively communicate with other personnel or resources.

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(f) Whether planned tactics can be effectively deployed.

(g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, deputies should consider summoning and waiting for additional assistance (special tactics and/or tactical negotiations team response).

414.3.1 RESPONSE TO SCHOOL THREATS

Upon receiving a threat or perceived threat from a school official that involves grades 6 to 12, deputies shall immediately investigate and conduct a threat assessment. The investigation shall include a review of the firearm registry of the California Department of Justice. A reasonable search of the school at issue shall be conducted when the search is justified by reasonable suspicion that it would produce evidence related to the threat or perceived threat (Education Code § 49394).

For purposes of this subsection a "threat" or "perceived threat" means any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual (Education Code § 49390).

414.4 THREATS

Threats to schools, workplaces and other locations by any individual or group of individuals shall be evaluated and investigated comprehensively to obtain a clear understanding of the situation.

This shall include at the minimum:

(a) The identity and location of the suspect(s),

(b) Nature of the threat,

(c) The target(s) of the threat,

(d) The mechanism of violence (firearm, explosive, edged weapon, etc)

(e) The time line for the threat

As with any investigation, deputies must use their investigative skills to identify relevant information not listed above that assists with evaluating the risk posed by the threat. In all cases where the threat involves the use of a weapon the deputy shall brief the patrol sergeant and the watch commander before clearing the call. The watch commander shall notify the station captain by phone of the circumstances concerning the threat.

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Reporting Police Activity Outside of Jurisdiction

415.1 PURPOSE AND SCOPE

This policy provides general guidelines for reporting police activity while on or off-duty and occurring outside the jurisdiction of the County of Ventura.

415.1.1 ASSISTANCE TO AGENCIES OUTSIDE THE COUNTY

When a deputy is on-duty and is requested by an allied agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from the immediate supervisor or the watch commander. If the request is of an emergency nature, the deputy shall notify SCC before responding and thereafter notify a supervisor as soon as practical.

415.1.2 LAW ENFORCEMENT ACTIVITY OUTSIDE THE COUNTY

Any on-duty deputy, who engages in law enforcement activities of any type outside the immediate jurisdiction of the County of Ventura shall notify his or her supervisor or the watch commander at the earliest possible opportunity. Any off-duty deputy who engages in any law enforcement activities, regardless of jurisdiction shall notify the watch commander as soon as practical.

The supervisor or watch commander shall determine if a report or other documentation of the deputy's activity is required. The report or other documentation shall be forwarded to the deputy's assistant sheriff or designee via proper channels.

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Immigration Violations

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Ventura County Sheriff's Office for understanding our role as it relates to Federal Immigration Policy.

416.2 POLICY

It is the policy of the Ventura County Sheriff's Office that all members make personal and professional commitments to equal enforcement of the law and equal service to all members of the public regardless of their immigration status.

416.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity, or national origin in any way that would violate the United States or California constitutions.

416.4 ICE REQUESTS FOR ASSISTANCE

Deputies will not be involved in field level immigration enforcement.

Requests by ICE, or any other federal agency, for assistance from this department should be directed to the Watch Commander or Bureau Captain. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies.

416.5 INFORMATION SHARING

No member of this Department will prohibit, or in any way restrict, any other member from doing any of the following regarding citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):

(a) Sending information to, or requesting or receiving such information from ICE

(b) Maintaining such information in department records

(c) Exchanging such information with any other federal, state or local government entity

Nothing in this policy restricts sharing information that is permissible under the California Values Act. Notice to individuals in custody should be handled according to the Detention Services Divisional Policy and Procedures Manual.

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U Visa and T Visa Nonimmigrant Status

417.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Ventura County Sheriff's Office for understanding the procedures to obtain an U Visa or T Visa.

417.2 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U Visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). A law enforcement certification for a U Visa may be completed by a deputy in order for a U Visa to be issued.

Similar immigration protection, known as a T Visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T Visa may be completed by a deputy in order for a T Visa to be issued.

Any request for assistance in applying for U Visa or T Visa status should be forwarded in a timely manner to the Detective Bureau supervisor assigned to oversee the handling of any related case. The Detective Bureau supervisor shall:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner and forward such certification or declaration to Sheriff's Administration for the Sheriff's consideration and possible signature as the Certifying Official.

    1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

    2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded that information, including the appropriate certification form, to Sheriff's Administration for consideration.

(e) Sheriff's Administration shall notify the victim and/or victim's liaison of the final determination as to whether the request is approved or not.

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417.2.1 TIME FRAMES FOR COMPLETION

Deputies and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for a T Visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Deputies and their supervisors shall complete the above process and the documents needed for a U Visa or T Visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 90 days of a request from the victim or victim's family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

417.2.2 REPORTING TO LEGISLATURE

Sheriff's Administration or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

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BODY WORN CAMERA POLICY

418.1 PURPOSE AND SCOPE

To provide policy and procedure for the use of the body worn camera system (BWC) including both audio and video recording of field activity during official law enforcement duties.

The use of the body worn camera system provides documentary evidence for criminal investigations, internal or administrative investigations, and civil litigations. Deputies shall utilize this device in accordance with the provisions of this policy to maximize the effectiveness of the audio/video documentation to achieve operational objectives and to ensure evidence integrity.

Officer safety and public safety take precedence over recording events. Officer safety and the safety of the public shall be the primary considerations when contacting individuals, not the ability to record an event.

Unauthorized use, duplication, and/or distribution of digital evidence is prohibited. Personnel shall not make copies of any digital evidence for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record BWC files.

All recorded media, images and audio from the BWC are property of the Ventura County Sheriff's Office and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the expressed written consent of the Sheriff or his designee.

418.2 DEFINITIONS

Body Worn Camera (BWC) - A camera worn on an individual deputy's person that records and stores audio and video.

Buffering Mode or Standby Mode - The BWC is on but has not been activated to record both sound and video. While in the buffering mode, the camera will continuously record video only in 30 second loops.

Event Mode - When the Event button on the BWC is activated and the camera is recording both audio and video.

Digital Evidence - BWC files, including photographs, audio recordings and video footage, captured by a BWC and stored digitally.

Evidence Docking Station (EDS) - A portable multi-ported docking station installed at Sheriff patrol stations. The EDS recharges the BWC while uploading all digitally encrypted data from the device and transfers the data to Evidence.com.

Evidence.com - A digital evidence management service contracted for the Sheriff's Office and accessed at venturasheriffca.evidence.com. The service stores digitally encrypted data in a highly secure environment accessible to personnel approved by the Sheriff or his designee.

Metadata - Report numbers, names, and other descriptors used to identify digital evidence.

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418.3 PROCEDURE

This policy is not intended to describe every possible situation where the use of a BWC may be appropriate. The policy also recognizes the rare instances in which there may not be enough time to activate a recording. However, BWC shall be used anytime there is a law enforcement related interaction with the public. The primary purpose of a recording is to capture police interactions with the public. When recording with a BWC, transparency requires video and sound to be continuous.

For any incident that requires a BWC recording, officers shall activate their recorder prior to making contact with the involved parties. For example, during a detention of a person, the BWC recorder shall be activated prior to contacting the subject and shall remain activated until the detention has concluded, unless a mitigating factor as described below in “When BWC Recording is Not Required” exists. Exception: Officers will separate interviews during a canvass by deactivating and reactivating the recorder in between interviews, unless a mitigating factor as described in “When BWC Recording is Not Required” exists.

Private Citizens do not have a reasonable expectation of privacy when talking with law enforcement during the scope of a deputy's official duties, even when the contact is in a private residence. When deputies are lawfully present in a home (warrant, consent, or exigent circumstances) in the course of official duties, there is no reasonable expectation of privacy. Therefore, deputies are not required to give notice that they are recording. However, if asked, deputies shall advise citizens they are being recorded.

A. Deputies are not required to initiate or cease recording an event, situation, or circumstance solely at the demand of a citizen.

B. Deputies are encouraged to advise private persons that they are recording if the advisement may gain compliance, assist in the investigation, and does not interfere with the investigation or officer safety.

It shall be deemed a violation of this policy for a deputy to fail to activate the device or intentionally terminate a recording in order to conceal a violation of law or policy.

418.3.1 WHEN BWC IS REQUIRED

There are many situations where the use of the BWC is appropriate. This policy is not intended to describe every possible circumstance. In addition to the required conditions, deputies should activate the system any time they feel its use would be appropriate and/or valuable to document an incident.

Unless it is unsafe or impractical to do so, or mechanical issues that impede the use of the device are present, deputies shall activate their BWC prior to making contact in any of the following incidents:

A. During any law enforcement related contact or activity where there is a reasonable suspicion of criminal activity or a violation of law and investigative or enforcement action may be taken.

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B. Deputies may activate the BWC before or during any other incident at their discretion and shall have the latitude to terminate the recording when there is no likelihood of force being used or anything else of evidentiary value occurring.

C. All enforcement / investigatory encounters where there is at least reasonable suspicion the person has committed, is committing, or may be involved in criminal activity. This includes, but is not limited to:

    1. Detentions, vehicle stops, pedestrian stops and consensual encounters.

    2. Probation, parole, post-release community supervision, mandatory supervision or consent searches, and ‘knock and talks.

D. Taking or attempting to take a person into custody (e.g., arrests, protective custody of a mentally disturbed person, etc.).

E. Enforcement encounters where there is reason to believe the individual is committing a violation for which a citation may be issued.

F. All incidents involving a use of force or potential use of force.

G. All public interactions, regardless of context, that escalate and become adversarial.

H. Service of search or arrest warrants.

I. Suspect statements.

J. Witness/Victim statements

    1. The BWC recording policy applies equally to incidents where any on-duty or off-duty law enforcement official is involved as a victim, witness, or suspect.

K. Code 3 driving operations, which includes any passenger officer in a two-person unit.

L. Response to complaints or calls for service.

M. When transporting prisoners, detained subjects, and those people who are under criminal investigation.

418.3.2 NON-PATROL PERSONNEL

Non-patrol personnel, or those working in a plain clothes capacity, that have been assigned a BWC or have it available for their specific use, shall activate BWC during pre-planned enforcement encounters such as search warrants, probation searches, gang enforcement, etc., unless a supervisor approves otherwise for tactical or other articulatable reasons.

418.3.3 WHEN BWC RECORDING IS NOT REQUIRED

The BWC shall not be used to record non work-related activity and should generally not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, or restrooms.

A. Deputies shall not use the BWC recording functions to record any personal conversation of or between another employee without the knowledge or permission of that employee.

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Deputies should be aware of certain circumstances when operating the BWC may not be appropriate, unless taking law enforcement actions stated in 418.3.1, such as:

A. In a hospital emergency room where privacy of patients, including patients not part of the deputy's call should be considered.

B. Anytime a person's private health information is being discussed.

C. Response to accidents or ambulance follow-up calls when the victims are not suspected of criminal activity.

D. Doctors' or lawyers' offices where an expectation of privacy exists.

E. When the use of the BWC causes emotional distress to a crime victim.

F. A potential witness who requests to speak to a deputy confidentially, or desires anonymity.

G. A victim or witness who requests that he or she not be video recorded, and the situation is not confrontational.

H. A victim who requests that he or she not be video recorded as a condition of cooperation, and the interests of justice require such cooperation.

I. Discussion of case facts or investigative tactics outside the presence of all involved parties including any victim, witness, or suspect.

    1. It is the deputy's responsibility to reactivate the recording when the purpose of the deactivation/muting has passed.

J. Other places where individuals unrelated to the investigation are present and would have a reasonable expectation of privacy.

K. The monitoring of persons based solely upon the person's political or religious beliefs or upon the exercise of the person's constitutional rights to freedom of speech and religious expression, petition and assembly under the United States and California Constitutions, or because of the content or viewpoint of the person's protected speech is prohibited.

418.4 OPERATION

A. Personnel shall use only the BWC system issued and approved by the Sheriff's Office.

B. Personnel shall not remove, dismantle, or tamper with any hardware and/or software component or part of the BWC.

C. When in service, the BWC shall be powered on and in buffering mode.

D. When not in use, and at the conclusion of a shift, BWC devices shall be stored in the designated docking station. Deputies shall ensure the BWC is properly seated into the docking station to allow for proper uploading, charging, and updating.

E. Deputies shall inspect their assigned BWC device prior to the start of a shift to ensure there is no visual damage and the device is charged and in working order.

F. Deputies shall position the BWC on the front of their uniform, above the midline of the torso to facilitate optimum recording field of view.

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G. Use of force and videos of evidentiary value shall be uploaded prior to the end of shift, unless otherwise approved by a supervisor.

H. Deputies operating department issued take home vehicles may take home and charge BWC with a provided charging cable. It will be the responsibility of the deputy to dock the BWC to upload any evidence as soon as it is practical.

I. Deputies operating department vehicles may dock their BWC at the end of their shift and then take their assigned vehicle home. It will be the responsibility of the deputy to pick up their BWC as soon as practical at the beginning of their next shift. It is recognized that deputies may make enforcement stops to and from work, which may result in those stops not being recorded.

418.5 RESPONSIBILITIES

A. Supervisory

1. Supervisors may routinely inspect BWC recordings, provided the inspections are reasonable, conducted in good faith, and are not for the sole purpose of searching for violations of Department policy or law not related to a specific complaint or incident.
2. Supervisors shall ensure deputies utilize the BWC according to policy guidelines.
3. Supervisors shall ensure BWC files related to critical incidents or the use of force are uploaded to Evidence.com
4. When evaluating a use of force incident, supervisors shall review BWC files prior to completing the Use of Force Notification Form required by the Use of Force Policy.
5. Supervisors may have the ability to immediately resolve citizen complaints by reviewing BWC files. When a complaint is resolved with no further action needed, supervisors shall add an additional category of Citizen Complaint to the video and make appropriate notes in the Notes section of Evidence.com. This will allow Professional Standards personnel to track incidents resolved by the use of the BWC system.

B. Personnel utilizing a BWC shall be responsible for the following:

1. Ensuring the BWC device is functioning properly.
2. Immediately reporting unresolved equipment malfunctions or problems to the System Administrator or their supervisor.
3. Documenting the use of BWC on any of the following:
   (a) Crime/Incident or Arrest Report
   (b) Notation on citation
   (c) Field Interview Card
4. Deputies should continue preparing reports in the same manner as prior to the implementation of the BWC. Deputies should not substitute "refer to video" for a detailed and thorough report.

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5. Once video of evidentiary value is captured, deputies shall label BWC files by:
    (a) Noting the report number, incident number, or citation number, or the Jail Incident Report number in the ID Field.
    (b) Entering a title. The title should include sufficient information to identify the file, such as all subjects captured by the video, a crime code, location, event, etc.
    (c) Selecting the appropriate category or categories.

418.6 REVIEW OF FILES

A. Although the data captured by the BWC is not considered Criminal Offender Record Information (CORI), it shall be treated in the same manner as CORI data. All access to the system is logged and subject to audit at any time. Access to the data from the system is permitted on a right to know, need to know basis. Employees authorized under this policy may review video according to the provisions of this policy.

B. Once uploaded to Evidence.com, personnel may view their own audio/video data. Evidence.com automatically time/date stamps and records each access by officer name.

C. An employee may also review BWC files as it relates to:
    1. Their involvement in an incident for the purposes of completing a criminal investigation and preparing official reports (this may be completing a criminal investigation and preparing official reports (this may be completed in the field via a department issued Bluetooth device).
    2. Prior to courtroom testimony or for courtroom presentation.
    3. Providing a statement pursuant to an administrative inquiry, including officer involved shooting investigations.
    4. Criminal investigations conducted by Sheriff’s Major Crimes may result from officer involved shootings or other critical incidents. Generally, deputies will be allowed to review their BWC prior to participating in interviews conducted as a result of these investigations. However, if the Major Crimes investigator believes viewing the BWC prior to an interview will jeopardize the integrity of an investigation, the investigator has the right to deny the request.
    5. For potential training purposes.
        (a) For official use, Evidence. com shall only be accessed from Department authorized computers, Department workstations or MDC's.
        (b) Exception: Administrative users of Evidence.com may access Evidence.com from a computer or device outside of the Department for the purpose of completing administrative tasks, such as locking or unlocking a user, etc.

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418.7 BWC FILES REQUESTS

A. Sheriff's Office Request

1. Any request shall be completed by the system administrator with the approval of the sheriff or his designee.

B. Non-Sheriff Requests

1. All other requests for a BWC file shall be accepted and processed in accordance with federal, state, local statutes, and Department policy.

C. Request for deletion of an accidental recording

1. In the event of an accidental activation of the BWC where the resulting recording is of no investigative or evidentiary value, the recording employee may request the BWC file be deleted by submitting an email request with sufficient information to locate the BWC file to the Divisional Commander or designee. The file will be reviewed and, if approved, the request will be forwarded to the system administrator for action.

2. In the event an employee accidentally records an embarrassingly personal or private situation, they may categorize the recording as "Restricted" while the request for deletion is being reviewed. It should be noted, this restricted categorization will prevent the recording employee from further viewing the video.

D. Copying Procedures

1. A copy of the BWC file may be made by the involved deputy or court liaison deputy in accordance with the provisions of this order for evidence, court proceedings, DA request, etc.

2. Other than as provided in this policy, no member of this Department shall download any video from Evidence.com onto any computer, device, drive, CD, DVD or any other format without the consent of the Sheriff.

3. All outside requests (City Attorney, Police Department, Private Attorney, etc.) shall fill out the BWC request form and forward it to the BWC Administrator for review. The BWC administrator will submit the request to the Communications Captain for final approval. Upon approval, the BWC Administrator will share the approved files as requested.

E. Investigators Conducting Criminal or Internal Investigations Shall:

1. Advise the system administrator to restrict access/public disclosure of the BWC file in criminal or internal investigations, when necessary.

2. Investigators shall notify the system administrator to remove the access restriction when the investigation is closed.

3. Review the file to determine whether the BWC file is of evidentiary value and process in accordance with established guidelines.

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F. A BWC file may be utilized as a training tool for individuals, specific units, and the Department as a whole. A recommendation to utilize a BWC file for such a purpose may come from any source.

1. A person recommending utilization of a BWC file for training purposes shall submit the recommendation through the chain of command to the Division Commander.

2. If an involved deputy or employee objects to the showing of a recording, his/her objections will be submitted to the Division Commander to determine if the employee's objection outweighs the training value.

418.8 CATEGORY AND RETENTION

A. Employees utilizing the BWC shall identify each video by category. In the event a video is taken that does not fall into a listed category on Evidence.com or has no associated reportor apparent evidentiary or administrative value, the deputy shall categorize the video as trash.

B. Retention periods are established by the Sheriff in accordance with state and federal mandates.

418.9 REPAIR PROCEDURES

A. Personnel shall immediately report any recognized problems with the BWC to their administrative sergeant.

B. Upon notification, the administrative sergeant shall contact the system administrator stating the problem or malfunction.

418.10 DISCOVERY OF MISCONDUCT

A. Employees reviewing BWC files should remain focused on the incident or incidents in question and review only those recordings that are relative to their investigative scope. If improper conduct is suspected during any review of a BWC file, the person who discovered the conduct in question shall immediately notify a supervisor. The supervisor will make notifications to the appropriate management via chain of command. Nothing in this procedure prohibits addressing policy violations.

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Aircraft Accidents

419.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity and Hazardous Material Response policies.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

419.2 POLICY

It is the policy of the Ventura County Sheriff's Office to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

419.3 ARRIVAL AT SCENE

Deputies or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.

(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.

(c) Preserve ground scars and marks made by the aircraft.

(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.

(e) Maintain a record of persons who enter the accident site.

(f) Consider implementation of an Incident Command System (ICS).

419.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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419.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the Watch Commander and/or SCC shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

The Watch Commander and/or SCC shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department

(b) Appropriate airport tower

(c) Emergency medical services (EMS)

419.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.

(b) Fire department, EMS or other assisting law enforcement agencies.

(c) Medical Examiner.

(d) Air Carrier/Operators investigative teams with NTSB approval.

(e) Appropriate branch of the military, when applicable.

(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene supervisor should ensure the accident is still appropriately investigated and documented.

419.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.

(b) Pressure vessels, compressed gas bottles, accumulators and tires.

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(c) Fluids, batteries, flares and igniters.

(d) Evacuation chutes, ballistic parachute systems and composite materials.

419.8 DOCUMENTATION

All aircraft accidents occurring within the County of Ventura shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of VSO members deployed to assist; other County resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

419.8.1 WRECKAGE

When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.

(b) Attempt to ascertain the number of casualties.

(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.

1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).

(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.

(e) Acquire copies of any recordings from security cameras that may have captured the incident.

419.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.

(b) A detailed description of what was observed or heard.

(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

(d) The names of all persons reporting the accident, even if not yet interviewed.

(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

419.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should

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be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

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STRANDED VESSELS

420.1 PURPOSE

To comply with legal requirements that mandate the Sheriff's Office render assistance to vessels and persons on board that become stranded on the coast of Ventura County.

420.2 INTRODUCTION

California Harbors and Navigations Code section 510 mandates the responsibilities of each Sheriff regarding vessels stranded on their coasts: "The sheriff of each county shall give all possible aid and assistance to vessels stranded on its coast, and to the persons on board. He shall exert himself to save and preserve such persons, vessels, and their cargoes, and all goods and merchandise which may be cast by the sea upon the land, and to this end he may employ as many persons as he may think proper. All citizens shall aid the sheriff when required."

420.2.1 DEFINITIONS

Abandoned:

Any vessel that is found on the coast without a lawful operator or owner.

Coast:

The coast refers to the entire area from the Santa Barbara County line to the Los Angeles County line where land abuts the ocean. The department is responsible for the entire area including coastal areas falling within the boundaries of incorporated cities and military installations.

Salvage:

Salvage generally refers to the process related to the recovery of the vessel and its contents along with the receipt of compensation for recovery costs.

Surrendered:

When a vessel owner relinquishes all property interest in the vessel and its contents to the Sheriff's Office or other authorized public agency.

Vessel:

"Includes ships of all kinds, steamboats, steamships, canal boats, barges, sailing vessels, and every structure adapted to be navigated from place to place for the transportation of merchandise or persons." (Harbors and Navigations Code section 21). This definition encompasses virtually all structures intended for navigation on the water from a small rowboat to a large ship.

The Sheriff is charged with attempting to secure a vessel and items of value that wash ashore. Generally, it is the department's responsibility to salvage or assist in the salvage of all vessels stranded on the Ventura County coast. This is true even if the owner of the vessel initially assumes

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responsibility and later is unable to complete the salvage process, surrendering the vessel and contents. There may be times when it is not feasible, too dangerous, or pointless to salvage a vessel. Factors to consider are as follows:

(a) Type of vessel

(b) Type of cargo

(c) Weather or other conditions too hazardous for salvage

(d) Vessel is of little or no value

(e) Potential salvage cost exceeds the vessel's apparent value.

All decisions not to salvage a stranded vessel will be made by the watch commander.

Normally, all that is required in the salvage process is that the responding deputies arrange for the appropriate service to secure the vessel (i.e., a private tow company when secured from land, or a vessel towing company when secured from the water). The primary vessel towing company in this county is Vessel Assist (1-800-367-8222). The Harbor Patrol, although not specifically tasked with vessel salvage, may serve as an additional resource for department personnel in handling these matters. The emergency phone number is (805) 382-3000.

Whenever Sheriff's Office resources are used for salvage operations, refer to California Harbors and Navigations Code, sections 510-527, and 530, and/or the assistance of County Counsel.

420.3 PROCEDURE

(a) Upon receipt of information of a stranded vessel, deputies shall provide aid and assistance to any persons on board. If necessary, requests can be made through the SCC for the fire department, Sheriff's Aviation Unit and/or Search and Rescue Team, and/or other resources as needed.

(b) Attempt to locate and/or notify the owner of the vessel.

1. If the owner is located and they do not wish to surrender the vessel, the owner must make arrangements for the salvaging of the vessel, and will be responsible for the vessel, property and costs of recovery.

2. If the owner wishes to surrender the vessel, or the vessel is abandoned the Sheriff's Office will assume authority over the vessel and property until the arrival of the salvage company. Once the vessel has been surrendered or abandoned its contents are the property of the County of Ventura and the owner no longer has authority to reclaim property or the vessel, without contacting the County of Ventura Purchasing to resolve outstanding fees.

3. Once the salvage company has arrived, signed the CHP 180 form or been identified for the incident report, and there is no longer an immediate hazard to life or property- besides the stranded vessel- and with the approval of the watch commander the Sheriff's Office resources may be released from the scene.

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(c) If the salvage process involves more than facilitating the response of the appropriate private salvage company, the watch commander, or station captain will determine how to proceed with the salvage operation.

1. There are two military installations on the Ventura County coastline, located at Point Mugu and Port Hueneme. In all cases of stranded vessels on military property, deputies shall obtain authorization prior to entering and coordinate all actions with appropriate military personnel. Any conflicts or problems that arise will be handled through the watch commander, or station captain.

420.3.1 REPORTING PROCEDURES

(a) A CHP 180 form will be completed on all vessels that are reported stolen, recovered, embezzled or abandoned. (Refer to report writing manual on how to complete the form.) Where feasible property and cargo should be inventoried and noted on the report.

(b) All other stranded vessel incidents in which the department has rendered assistance shall require an incident report, including:

1. When there is death or injury to passengers or crew members (non-crime related).
2. When it is likely the incident will require later departmental action or investigation of either a criminal or non-criminal nature (e.g., suspicious circumstances surrounding incident, substantial utilization of resources during salvage or rescue operations.)
3. The incident may involve civil liability to a public entity.

420.3.2 REFERENCES

California Harbors and Navigations Code, Section 21, Sections 510-527, and section 530. California Government Code, Section 26620-26621.

Checklist for watch commanders:

- Respond appropriate resources to manage the initial call for service.
- Determine if the vessel owner can be located.
- Determine the vessel owner's course of action. If the vessel is abandoned and the vessel/cargo are an immediate danger to the public, initiate vessel salvage operations.
- If the vessel is not a danger then refer the incident to the station captain for further administrative handling.
- Maintain security on the vessel and cargo until salvaging operations are on scene.

Checklist for station captains:

- Is the vessel or its contents salvageable?
- Has the owner been identified and assumed control over the salvage operation.

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- Maintain security, private or departmental, until a salvage company has been contracted and taken control of the vessel.
- If the owner has not been located and the vessel is salvageable contact County of Ventura Purchasing in order to facilitate a contract with a salvage company.
- Ensure that all documentation, including personnel resources are documented for possible civil recovery. Contact the District Attorney's Office to file appropriate criminal charges.
- For further guidance contact County Counsel.

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Field Training Officer Program

421.1 PURPOSE AND SCOPE

The Field Training Program (FTP) is intended to provide a standardized program to facilitate the deputy's transition from the detention setting to the actual performance of general law enforcement duties of the Ventura County Sheriff's Office.

It is the policy of this department to assign the sheriff's deputies to a structured Field Training Officer Program that is designed to prepare the deputy to perform in a patrol assignment, while possessing all skills needed to operate in a safe, productive, and professional manner.

The East County Patrol Operation's captain is the designated field training manager and as such will ensure that the FTP meets department policies, and the standards of the Commission on Peace Officer Standards and Training (P.O.S.T.).

421.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The FTP Committee includes a field training coordinator from each patrol station and the field training manager. The committee will meet at the direction of the field training manager. The committee has responsibility for:

1. Reviewing and updating the field training manual and the field training policy and procedures as needed. The field training manager will ensure the manual and field training policy and procedures reflects department policies, and the standards of P.O.S.T.

2. Selecting senior deputies and deputies to be trained as Field Training Officers (FTO) as described in the P.O.S.T. Standards.

3. Coordinating the scheduling of the P.O.S.T. 40 hour FTO basic course with the Ventura County Criminal Justice Training Center.

4. Coordinating the scheduling of the P.O.S.T FTO update course with the Ventura County Criminal Justice Training Center.

421.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

(a) Desire to be an FTO

(b) Minimum of four years of patrol experience, two of which shall be with this department

(c) Demonstrated ability as a positive role model

(d) Participate and pass an internal oral interview selection process

(e) Evaluation by supervisors and current FTOs

(f) Possess a POST Basic certificate

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421.2.2 TRAINING

A deputy selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer's Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

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Obtaining Air Support

422.1 PURPOSE AND SCOPE

The use of the sheriff's helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

422.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or deputy in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

422.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the watch commander, or SCC supervisor, will call out a helicopter from the Sheriff's Aviation Unit and if not available may call the closest agency having helicopter support available. The watch commander on duty will apprise that agency of the specific details of the incident prompting the request.

422.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

A sheriff's helicopter may be requested under any of the following conditions:

(a) When the helicopter is activated under existing mutual aid agreements

(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard

(c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community

(d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard

(e) Vehicle pursuits

(f) Search and Rescue operations

(g) Medivacs

(h) Fires

(i) To assist with crime scene investigations.

422.2.3 HELICOPTER ACTIVATION

Activation during business hours:

The Aviation/SAR unit can be contacted directly by SCC or Fire Communications Center (FCC) and advised of the circumstances necessitating the flight.

The pilot shall evaluate the flight information and determine the appropriate aircraft for the mission.

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Activation after business hours:

The SCC shall contact the standby pilot and crew chief per the daily schedule. The pilot shall evaluate the information and determine the appropriate aircraft for the mission.

If the emergency occurs during hours when there are no flight crews on standby, the dispatch supervisor or watch commander should attempt to call out any sheriff pilot or crew chief who has expressed an interest in responding to the aviation unit on an overtime basis. No pilot or crew chief is expected to be "on call" during these hours.

The pilot or crew chief should never be considered for contact because they are listed on any document as the "next crew on duty."

At no time shall the Aviation/SAR Unit create or send a schedule to the SCC that indicates a pilot or crew chief's availability after allocated standby hours.

If there is no crew available, the watch commander or SCC supervisor may request a helicopter from an allied agency.

Every effort should be made to obtain as much information as possible about the mission, i.e., weather, type of mission, any unusual conditions, etc.

Dispatch Response Time:

Consideration for immediate dispatch should be given for those areas where terrain would inhibit ground vehicles or where response times are long because of distance, accessibility, etc.

To allow for pre-flight preparation time, Aviation Unit personnel should be notified without delay regarding any potential helicopter flight. Every effort should be made to anticipate the need for helicopter services in advance in order to reduce response time.

422.2.4 FLIGHT FOLLOWING PROCEDURES

In order to ensure the safety of the crew while in flight, and to facilitate a speedy rescue in the event of an emergency, flight following procedures will be adhered to on all Aviation/SAR Unit flights. Upon takeoff from any location, the crew chief will contact both FCC and SCC. Included in the message will be:

a. Departure point

b. Route of flight

c. Destination

DURING THE FLIGHT:

Update on flight information will be transmitted by the helicopter every 15 minutes (location and change in destination).

Flight following updates need only be transmitted to one of the dispatch centers. The second dispatch center should be advised that the aircraft is flight following with the other department.

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(In the event of a law enforcement patrol-operated flight, flight following should be accomplished through the SCC).

In some instances, dispatch facilities of other agencies may be used for flight following. An example is the US Forest Service (USFS). The USFS radio system utilizes mountain repeaters that enable radio communications in deep canyons and valleys. In this case, request that the USFS dispatcher contact FCC and/or SCC and advise of the change of flight following agencies, or contact the FCC or SCC directly after establishing flight following procedures with the USFS. If a helicopter flight does not check-in with fire or sheriff's dispatch within a 15-minute time frame, the following procedures must be initiated:

When Aviation/SAR Unit personnel are at the heliport, the duty pilot will determine if an immediate search is required, or if additional time should be allowed for the overdue helicopter to reestablish radio contact. A maximum of 30 minutes past the normal check-in time will be allowed for an overdue helicopter to re-establish radio contact. Initial Search Procedures: 1. Contact the department or agency the missing helicopter is supporting and ascertain if they have a positive contact with the helicopter. Request the helicopter to contact FCC or SCC for flight following update.

If the above mentioned department or agency does not have positive contact with the missing helicopter, contact the US Air Force Rescue Coordination Center (AFRCC), at (757) 764-8112 to find out if the onboard emergency locator transmitter (ELT) have been activated (DO NOT request a search mission to be activated at this point). If the ELT has been activated, the AFRCC should be able to provide the approximate coordinates of latitude and longitude of the ELT signal. This information should be immediately relayed to Aviation Unit/SAR personnel.

Notify the Aviation Unit captain who will then assume responsibility for coordinating the search and rescue operation. In the absence of the Aviation Unit captain, the Aviation Unit commander shall be notified.

If the missing helicopter is not located within the first 45 minutes when it is overdue, an air search must be initiated. The helicopter crew assigned to the search shall make the determination as to what resources are available and can best be used for rescue and medivac situations pursuant to Aviation/SAR Unit policy.

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Mobile Digital Terminal Use

423.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use, and application of the Mobile Digital Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state, and national law enforcement databases, and to ensure effective electronic communications between department members and the Communications Center. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

423.2 MDT USE

The MDT shall be used for official sheriff's communications only. Messages that are of a sexual, racist, or offensive nature, or otherwise critical of any member of the Department, are strictly prohibited. MDT use is also subject to the Department Technology Use Policy.

Messages may be reviewed by supervisors at anytime without prior notification. Employees generating or transmitting messages not in compliance with this policy are subject to discipline.

All calls dispatched to patrol units should be communicated by voice or MDT unless otherwise authorized by the Watch Commander.

423.2.1 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Department Technology Use Policy for additional guidance).

423.2.2 RESTRICTED ACCESS AND USE

MDT use is subject to the County's Information Technology Use and Protected Information policies:

http://myvcweb/index.php/forms-and-policies

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisor or Watch Commander.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

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It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended.

423.2.3 USE WHILE DRIVING

Use of the MDT by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely.

423.3 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Watch Commander or other department established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the Sheriff's radio or electronically via the MDT unless security or confidentiality prevents such broadcasting.

423.3.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the Sheriff's radio or through the MDT system.

During times of emergency radio traffic, the MDT user may utilize the "Silent Dispatch" functions of the MDT to respond to calls for service, assist another unit, clear calls for service, and/or change their status

(a) In the event of an emergency in progress call where the unit on scene needs the sole use of the Sheriff's radio, the assisting units will utilize the MDT functions to "self-assist" that unit, thus leaving the airways free for emergency radio traffic.

(b) If the in-progress call requires a deputy to respond "Code 3" the deputy will "self-assist" the unit on scene and promptly change their status to "Code 3" using the MDT functions. The GPS function of the MDT, will be sufficient for advising the location the deputy is responding from.

(c) The MDT user should utilize the "silent dispatch" functions to place units "On-Scene" of a probation/parole search location and/or warrant service location. This notification will not be made to dispatch via telephone.

423.4 MALFUNCTIONING MDT

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify the Communications Center.

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423.4.1 REPLACING A MALFUNCTIONING MDT

When a MDT is malfunctioning and unable to be put into service, the user is responsible for replacing that MDT with a functioning MDT. Each station will have a cache of spare MDTs assigned. It will be the responsibility of each station administrative sergeant to decide where these computers will be stored. The following is the process to exchange a malfunctioning MDT and have it sent for repairs:

(a) The user will locate the spare MDTs and retrieve a functioning MDT.

(b) The user will log onto the Sheriff's Intranet and complete an IT Services Service Request Form. This form must be completed thoroughly explaining the particular issue or issues. The user will wait for the IT Services confirmation email and bring that email. The malfunctioning MDT and the printed email will be placed in a designated area (determined by each station administrative sergeant).

(c) Each day a cadet, SST or volunteer (determined by each station's administrative sergeants) will check the computer area for any malfunctioning MDTs. If MDTs are in need of repairs, the assigned personnel will transport that MDT to Sheriff's Systems Bureau (SSB) to drop off for repair. While at the SSB Office, they will determine if there are MDTs needing to be returned to their respective stations.

EXCEPTION TO THE ABOVE PROCESS:

If the MDT is installed into a LPR vehicle that MDT will stay with that vehicle and the entire vehicle will need to be taken to the SSB Office for repairs.

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Marijuana Enforcement

424.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the possession, transportation, delivery, production, cultivation, and use of marijuana under California's medical marijuana laws.

424.1.1 DEFINITIONS

Definitions related to this policy include:

Adult Use of Marijuana Act (AUMA) - In 2016**,** Proposition 64 legalized the recreational use of marijuana for adults aged 21 years or older, permitting smoking in a private home or at a business licensed for on-site marijuana consumption. This law allows a person aged 21 years or older to possess up to 28.5 grams of marijuana, 8 grams of concentrated marijuana, and to grow up to six marijuana plants per household.

Cardholder - A person issued a current identification card.

Compassionate Use Act (CUA) (Health and Safety Code § 11362.5) - California law intended to provide protection from prosecution to those who are seriously ill and whose health would benefit from the use of marijuana in the treatment of illness for which marijuana provides relief. The CUA does not grant immunity from arrest but rather provides an affirmative defense from prosecution for possession of medical marijuana.

Identification card - A valid document issued by the California Department of Public Health to both persons authorized to engage in the medical use of marijuana and also to designated primary caregivers.

Medical marijuana - Marijuana possessed by a patient or primary caregiver for legitimate medical purposes.

Medical Marijuana Program (MMP) (Health and Safety Code § 11362.7 et seq.) - California laws passed following the CUA to facilitate the prompt identification of patients and their designated primary caregivers in order to avoid unnecessary arrests and provide needed guidance to law enforcement officers. MMP prohibits arrest for possession of medical marijuana in certain circumstances and provides a defense in others.

Patient - A person who is entitled to the protections of the CUA because he/she has received a written or oral recommendation or approval from a physician to use marijuana for medical purposes or any person issued a valid identification card.

Primary caregiver - A person designated by the patient, who has consistently assumed responsibility for the patient's housing, health or safety, who may assist the patient with the medical use of marijuana under the CUA or the MMP (Health and Safety Code § 11362.5; Health and Safety Code § 11362.7).

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Senate Bill 94 – The Medicinal and Adult-Use Marijuana Regulation and Safety Act (MAUCRSA). This law was passed by the legislature in 2017 and it was designed to consolidate guidelines for medical and recreational marijuana use, possession, transportation, cultivation, sales, and manufacturing.

Statutory amount - No more than 8 ounces of dried, mature, processed female marijuana flowers ("bud") or the plant conversion (e.g., kief, hash, hash oil), and no more than six mature or 12 immature marijuana plants (roots, stems and stem fibers should not be considered) (Health and Safety Code § 11362.77).

424.2 POLICY

The Ventura County Sheriff's Office will follow Proposition 215, Senate Bill 420, the California Attorney General Guidelines, Proposition 64, Senate Bill 94, and the various case laws governing medical and recreational marijuana. The Sheriff's Office currently conducts investigations to ensure individuals and organizations in Ventura County are operating in accordance within the above referenced laws and guidelines.

California's medical marijuana laws are intended to provide protection to those who are seriously ill and whose health would benefit from the use of medical marijuana.

However, California medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Ventura County Sheriff's Office will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

424.3 RECREATIONAL MARIJUANA

On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA) was passed by the voters of California and took effect immediately. AUMA is commonly referred to as Recreational Marijuana.

AUMA, with certain restrictions, adults 21 years of age and older may lawfully cultivate up to six marijuana plants **per household** , possess up to 28.5 grams of marijuana, and possess up to 8 grams of concentrated cannabis.

In respect to crimes involving cultivation, possession for sales, and sales of marijuana, **most** of these violations are misdemeanors or infractions. However, crimes involving the sale of marijuana to minors, suspects with multiple convictions, conspiracy to unlawfully sell, suspects with certain violent felony convictions under 667(e) P.C., and suspects who are required to register pursuant to 290 P.C., the underlying marijuana offense **may** be a felony pursuant to 1170(h) P.C.

AUMA and case law has given local jurisdictions broad authority to restrict or ban **outdoor** marijuana cultivations and marijuana deliveries. Note: There may be an exception to what local ordinances may restrict under the Medicinal Marijuana Delivery guidelines. Therefore, it is imperative that deputies familiarize themselves with the county ordinances and the different city

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ordinances where contract law enforcement is provided. City and county ordinances cannot restrict the delivery of marijuana by a Primary Caregiver to a Qualified Patient. In the event a resident of the household is not 21 years of age and is cultivating marijuana, the appropriate 11358 H&S section would apply. There could also be an exception to the 21 years of age requirement if the person possesses a valid Physician's Recommendation and / or a county issued identification card.

Pursuant to 11362.2 H&S, local municipalities cannot restrict the 6 plant exception inside a private residence or in an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure. However, local municipalities may ban **outdoor** cultivations all together.

In addition, deputies need to familiarize themselves with California Health and Safety Code sections 11357 through 11362 to determine what acts are lawful versus unlawful.

424.4 MEDICAL MARIJUANA

Even though the AUMA has age, quantity, licensing, and other restrictions, Proposition 215 is still valid. There are two types of documents a person may present to make a lawful Proposition 215 claim.

A. **Physician Recommendation:** A document from a licensed physician stating the person has a medical need to use and possess marijuana products. This document will generally specify the quantity the person can possess to meet the person's medical needs.

   (a) A person under the age of 21 can lawfully possess marijuana products if the person is in possession of a valid recommendation, which is signed by a licensed physician.

   (b) A physician can recommend the person possesses a quantity that exceeds recreational limits.

   (c) If a person possesses a valid physician's recommendation and is either under 21 years of age or is in possession of a quantity that exceeds recreational limits, the person **could** be arrested / cited for the appropriate statutory charge. However, the person could have an Affirmative Defense under Proposition 215 if the case is filed in court. Therefore, sound judgment should be exercised when considering whether to take enforcement action when a person possesses a valid physician recommendation.

   (d) In the event a physician recommends a person possesses a quantity of marijuana that exceeds recreational limits, this does not apply to the six plants per household limit. It only applies to **dried** marijuana.

B. **Valid Identification Card:** A card issued by the State Department of Public Health is a voluntary program. A person holding a valid physician recommendation may obtain such an identification card through each county health department.

   (a) Once a person obtains an identification card issue by the State Department of Public Health, the person or designated primary caregiver **shall not be subject**

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to arrest for possession, transportation, delivery or cultivation of medicinal marijuana provided the amounts do not exceed the limits described in section “b” below.

(b) A qualified patient or primary caregiver may possess no more than eight ounces of dried cannabis per qualified patient. In addition, a qualified patient or primary caregiver may also maintain no more than six mature or 12 immature cannabis plants per qualified patient.

(c) The county issued identification card will be deemed valid unless there is probable cause to believe that the information contained in the card is false or falsified, or the card has been obtained by means of fraud.

(d) In order to be a primary caregiver under these guidelines, the person must attend to the qualified patient’s daily needs, including the housing, health, and safety of the patient.

424.5 MARIJUANA EVIDENCE

In all instances in which subject(s) are arrested or cited for possession of marijuana, the marijuana must be booked into evidence.

If the subject(s) are issued citations for H&S 11357(b) or VC 23222(b), the marijuana will be booked into evidence. While the citation will not require a RB# since the violations of H&S 11357(b) and VC 23222(b) are treated as infractions, an RB# will be required for the property report for booking the marijuana into evidence.

In instances in which the subject(s) are arrested and booked into custody, the marijuana is to be booked into evidence using the same RB# as the arrest report.

In instances of large seizures of marijuana (10 pounds or more), deputies shall contact the Special Investigations Unit/Narcotics for further investigation. In cases involving large seizures of marijuana (10 pounds or more), the destruction of the marijuana shall be in compliance with Health and Safety Code § 11479.

424.6 PATROL INVESTIGATIONS

The vast majority of marijuana crimes, including possession for sales, sales, and cultivations are misdemeanor crimes. Marijuana investigations will be handled at the patrol station level with the following exceptions, which will be investigated by the Narcotics Bureau.

(a) Any report of sales to a minor under the age of 18.

(b) Any complex commercial marijuana cultivation operation.

(c) Any Butane Hash Oil (BHO) conversion operation.

(d) Any situation where the Special Services Commander determines the investigation is best suited for the Narcotics Bureau.

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Patrol deputies should consult with a narcotic investigator or other specialized investigative unit member prior to conducting an investigation into individuals suspected of selling or cultivating marijuana. Prior to taking investigative actions, a de-confliction check with the Western States Information Network (WSIN) is highly encouraged to avoid compromising an active investigation. All investigators, specialized enforcement unit members, and ARTIC have 24 hour access to WSIN.

424.7 UNDERCOVER BUY OPERATIONS

For the purpose of this policy, an undercover buy operation is when a member of this department or a confidential informant has a face to face meeting with a person who is selling or arranging to sell marijuana or marijuana products. Generally, only members of the Narcotics Unit or Special Crimes Unit are authorized to conduct undercover buy operations for marijuana, marijuana products, or any controlled substance. The following is an exception to this directive:

(a) With the Narcotics Captain's approval, members assigned to investigative or specialized enforcement units may conduct marijuana buy stings into suspected licensed or unlicensed delivery services operating within our jurisdiction. All requests for approval should be via email, and include the nature of the investigation, investigative objectives, list of potential targets, and operation game plans.

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NARCOTICS ANALYSIS PROGRAM

425.1 PURPOSE AND SCOPE

To offer citizens the availability of confidential drug identification for early intervention of suspected family member substance abuse.

425.2 PROCEDURE

In an attempt to assist parents and other citizens who discover evidence of a drug-abuse problem within their families, the Sheriff's Crime Laboratory shall make its staff and its facilities available, on a confidential basis, for the analysis and identification of drug-like substances delivered to it by citizens desiring such analysis. All reasonable requests shall be handled.

Persons desiring the analysis and/or identification of any drug-like substance shall deliver the substance directly to the Sheriff's Property Room between 8:00 a.m. and 5:00 p.m. Monday through Friday.

Upon receipt of a drug-like substance, the property room shall issue a "reference number" to the person delivering the substance. No name, address or other specific information will be required from the person requesting the analysis; however, information which would help to identify the substance shall be taken if voluntarily offered. The citizen shall be advised to telephone the laboratory after seven (7) working days. He/she need only to provide the "reference number" whereupon he/she will be told whether or not the substance is a narcotic or restricted dangerous drug.

Narcotics and restricted dangerous drugs received through this program shall be retained by the property room. No substance will be returned to the person submitting it for analysis and/or identification. The substance will be disposed of in accordance with applicable statutes.

If a person desires advice upon learning the results of analysis laboratory personnel may offer advice within the scope of their expertise. A list of referral agencies handling drug-related problems will be maintained and offered to persons desiring this information.

The key to the success of a program of this nature is the offering of departmental services of this type to the concerned parent or citizen while maintaining complete anonymity throughout the entire transaction.

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Opioid Medical Aid and Response

426.1 PURPOSE AND SCOPE

This policy recognizes that members may encounter persons who appear to be in need of medical aid because of an opioid overdose and establishes a law enforcement response to such situations.

426.2 POLICY

It is the policy of the Ventura County Sheriff's Office that designated deputies and other designated members be trained to provide emergency medical aid to persons experiencing an opioid overdose and facilitate an emergency medical response.

426.3 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the licensed health care provider who prescribed the overdose medication for use by the member and (Civil Code § 1714.22; 22 CCR 100019):

(a) When trained and tested to demonstrate competence following initial instruction.

(b) When authorized by the medical director of the Local Emergency Medical Services Agency (LEMSA).

(c) In accordance with California Peace Officer Standards and Training (POST) standards.

426.3.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to their Site Administrator.

Any member who administers an opioid overdose medication should contact the Sheriff's Communication Center as soon as possible and request response by EMS. The member shall contact their supervisor as soon as practicable.

426.3.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

The supervisor will ensure that the Records Manager is provided enough information to meet applicable state reporting requirements.

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426.3.3 OPIOID OVERDOSE MEDICATION TRAINING

The Support Services Commander should ensure initial and refresher training is provided to members authorized to administer opioid overdose medications. Training should be coordinated with the local health department and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

426.4 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, a deputy shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

If a deputy believes that a person who is in custody requires EMS care and the person refuses, he/ she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

426.5 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

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ROAD CLOSURES

427.1 PURPOSE AND SCOPE

To establish guidelines for the management of prolonged emergency road closures and persons allowed accessibility into closed areas.

427.2 INTRODUCTION

Representatives from local law enforcement and fire agencies have instituted procedures for the establishment and maintenance of prolonged public and private road closures. In addition, an identification card for agricultural employees to gain legitimate access to restricted areas during emergency road closures was also created.

427.3 PROCEDURE

REQUEST FOR CLOSURE:

Requests for road closures shall be made through the watch commander, or the on-scene incident commander. Public roadways in the unincorporated areas are the primary responsibility of the California Highway Patrol. The request shall include:

1. Purpose and degree of closure
2. Identification of the specific roadways required to be closed
3. Suggested locations for the closure(s)
4. Anticipated duration of the closure
5. Location of the incident command post
6. Suggestions for detours when appropriate.

PUBLIC AND PRIVATE ROAD CLOSURES:

After a road has been closed, the department member assigned to the entrance to the closed area shall be responsible for:

1. Controlling the access of all traffic
2. Access to closed areas may be allowed to:
    (a) Residents with proper identification
    (b) Agricultural employees with the Ventura County Agriculture employee card and another valid photo identification
    (c) Members of the media with proper credentials

427.3.1 DOCUMENTATION

The department member assigned to the entrance of the closed or restricted area will be required to maintain records of all those allowed to pass into the area. The records shall include only those

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who are granted access based on the exceptions listed above and shall not include emergency vehicles entering the area in response to the specific incident.

427.3.2 REFERENCES

Ventura County Sheriff's Policy Manual, Media Access (Chapter 3)

California Penal Code, section 409.5

California Vehicle Code, sections 527, 530, and 2812

The Ventura County Agriculture Commission member designated by the commission shall issue cards.

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Facial Recognition

428.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the acceptable use of the images, information, and tools within the face recognition system. This policy applies to all sworn and civilian law enforcement personnel who are granted direct access to the face recognition system as well as personnel who are permitted to request face recognition searches. Any outside agency or personnel from an outside agency, requesting face recognition assistance with an investigation, must adhere to this policy.

428.2 BACKGROUND

Facial recognition refers to an automated process of matching face images utilizing algorithms and biometric scanning technologies. The facial recognition system runs searches against a photo database of known individuals that is updated daily. The system is used to identify possible subjects who are part of a criminal investigation.

428.3 FACIAL RECOGNITION OPERATION

Use of the facial recognition system is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

(a) Facial recognition shall only be used for official and legitimate law enforcement business.

(b) No member of this department shall use the facial recognition system without first completing department approved training.

(c) No employee shall verify a person’s identity based solely on possible match results provided by the facial recognition systems.

(d) Field photographs taken for the purpose of facial recognition shall be deleted immediately after the field investigation is complete.

428.4 ACCEPTABLE USES OF FACIAL RECOGNITION

Mobile Searches: Facial recognition may be used on a department issued mobile device as an identification tool by an officer in the field in one of the following circumstances:

(a) When an individual consents to have his or her photograph taken for the purpose of identification.

(b) When the officer reasonably believes an individual is concealing his or her true identity and has reasonable suspicion the individual has committed a crime other than concealing his or her identity.

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(c) When an individual is unable to provide reliable identification due to physical incapacitation or defect, mental incapacitation or defect, or death, and immediate identification is needed to assist the officer in performance of his or her lawful duties

(d) When an individual is under arrest and their identity is needed to determine whether he or she has previously been arrested and charged with a crime.

(e) Occasionally, surveillance video or photos of suspects are of such quality that photographs may be taken of the surveillance footage and submitted via the mobile application.

Any individual that refuses to be photographed shall neither be physically forced to do so nor will they be subject to arrest for their refusal.

Investigative Desktop Searches. Advanced searches through the desktop application allow a user to extract facial images from video or photo's, manipulate the angle of a face and/or enhance facial features. These types of searches are conducted only by individuals, typically in Crime Analysis, who have received specialized training that is in addition to the training received for field users. Investigative searches may be conducted in one of the following circumstances:

(a) When there is reasonable suspicion that the suspect to be searched has committed a crime.

(b) When the person to be searched is believed to be a victim or witness of a crime.

428.5 RELEASING FACIAL RECOGNITION DATA TO ALLIED AGENCIES

The Ventura County Sheriff's Office shares photos stored in the facial recognition database with other law enforcement agencies upon the execution of an inter-agency agreement by which each agency agrees:

(a) Facial recognition data shall be available only to authorized users for legitimate law enforcement purposes.

(b) Reasonable efforts will be made to ensure the accuracy of its data.

(c) Audit trails shall be maintained by each agency as defined by their policy.

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AUTOMATED LICENSE PLATE READERS (ALPRs)

429.1 PURPOSE AND SCOPE

The purpose of this usage and privacy policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

ALPR technology allows for the automated detection of license plates. It is used by the Ventura County Sheriff's Office to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

429.1.1 ADMINISTRATION

All installations and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Operations Assistant Sheriff. The Operations Assistant Sheriff will assign personnel to administer the day-to-day operation of the ALPR equipment and data.

The Professional Standards Captain, in conjunction with the ALPR oversight manager, shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code Section 1798.90.5 This shall include:

(a) A description of the job title or other designation of the employees and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.

(b) Training requirements for authorized users.

(c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

(d) Procedures for system operators to maintain records of access in compliance with Civil Code Section 1798.90.52.

(e) The title and name of the current designee overseeing the ALPR operation.

(f) Ensuring retention and destruction of ALPR data is compliant with the records retention policy.

(g) Ensuring this policy and related procedures are posted on the department's website.

429.2 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow other to use, the equipment or database records for any unauthorized purpose. (Civil Code Section 1798.90.51 & 1798.90.53):

(a) Designated Sworn and Professional staff trained on the use of ALPR may gather data using this technology.

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(b) Only designated staff engaged in official duties, conducting audits of ALPR, or database maintenance will have access to ALPR data.

(c) An ALPR shall only be used for official and legitimate law enforcement business.

(d) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(e) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(f) No member of this department shall operate ALPR equipment or access ALPR data without first completing department approved training.

(g) No ALPR operator may access department, state or federal data unless authorized to do so.

(h) Deputies **shall** visually verify the vehicle's license plate to ensure the ALPR read the plate correctly. Deputies **shall** confirm the alert/want is still active with Sheriff's Dispatch prior to stopping a vehicle based upon the LPR alert alone.

(i) In the event that an ALPR misreads a license plate, the operator of that system shall notify the Crime Analysis Unit to correct the data. The Crime Analysis Unit is charged with correcting data errors.

429.3 ALPR DATA COLLECTION AND RETENTION

The ALPR Server will be set to retain data for five (5) years, unless it is being used for a criminal or civil action. When data is retained for this purpose the data shall be maintained until the disposition of the case, including any appeal or administrative due process periods. In these circumstances the data should be removed from the server and stored on portable media and appropriately booked/retained.

429.4 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Ventura County Sheriff's Office will observe the following safeguards regarding access to and use of the stored data:

(a) All stored ALPR data shall only be accessible through a login/password-protected process capable of documenting all access to the information by user, date and time (Civil Code Section 1798.90.52)

(b) ALPR system audits should be conducted on a regular basis.

429.5 TRAINING

The ALPR oversight manager shall ensure that employees receive department-approved training to use or access the ALPR system (Civil Code Section 1798.90.51 & 1798.90.53).

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429.6 PRIVACY STATEMENT & POLICY

The Policy of the Ventura County Sheriff's Office is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open, nor available, to the public for review.

429.7 RELEASING ALPR DATA

The Ventura County Sheriff's Office shares ALPR data with other law enforcement agencies upon the execution of an inter-agency agreement by which each agency agrees that all ALPR data will be gathered, accessed, utilized and disclosed in accordance with applicable law. Each agency, by way of the agreement, further commits to the following;

(a) ALPR data shall only be accessible to authorized users for legitimate purposes.

(b) Audits shall be conducted and maintained by each agency as defined by their department's policy.

The Ventura County Sheriff's Office does not share ALPR data with commercial or private entities.

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Blood Sample Collection--Other than Impaired Driving Investigations

430.1 PURPOSE AND SCOPE

To establish the procedure and define the criteria for obtaining blood samples in situations not involving impaired driving investigations.

430.1.1 INTRODUCTION

Blood samples are taken from subjects in circumstances permitted by law, unless the subject has a medical condition that prevents it, where probable cause exists to support a reasonable belief that their blood would have evidentiary value in a criminal offense. When possible, the blood sample will be obtained with the subject's consent; however, in some instances, the law allows for a blood sample to be taken without the subjects's consent. These instances require a search warrant or the existence of specific exigent circumstances beyond the mere fact that alcohol and drugs dissipate from the bloodstream over time.

430.1.2 APPLICATION

The 2013 United States Supreme Court Case, Missouri v. McNeely reversed the longstanding interpretation that police could draw blood from a subject driving under the influence without the subject's consent and without a warrant when done within the parameters set forth by the court. The justification was based on the view that there was based on the view that there was an exigency created by the evanescent (transitory) nature of alcohol and/or controlled substance in a subject's blood. The McNeely ruling has made it clear that natural dissipation of drugs and alcohol from the bloodstream is **NOT** in and of itself a justification for an exigent circumstance in DUI cases. It is evident that the Supreme Court's rationale in McNeely also applies to violations of Health and Safety Code section 11550 and other regulatory codes where a chemical test is indicated.

Under the law, the two primary justifications for obtaining blood samples without consent are as follows:

- A search warrant has been obtained. California Penal Code Section 1524(a)(13) authorizes the issuance of search warrants for misdemeanor DUI cases. It does not include 11550 H&S violations or other misdemeanor regulatory code violations such as Section 655 of the Harbors and Navigation Code. **It is the policy of the Ventura County Sheriff's Office not to seek search warrants for non-DUI misdemeanor violations covered in the policy (including 11550 H&S and Harbors and Navigation Code Section 655(b)).**
- Incident to Lawful Arrest and specific articulable exigent circumstances exist. An exigency does not exist solely because of the short time associated with the natural dissipation of drugs or alcohol in the persons' bloodstream.

IT IS THE POLICY OF THE VENTURA COUNTY SHERIFF'S OFFICE TO NOT UTILIZE THE EXIGENT CIRCUMSTANCE EXCEPTION IN 11550 H&S CASES AS WELL AS ALL OTHER NON DUI VIOLATIONS FOR THE PURPOSE OF CONDUCTING FORCED BLOOD DRAWS.

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430.1.3 ADDITIONAL PROCEDURES FOR 11550 H&S ARRESTS

To aid in the prosecution of individuals who refuse to provide a blood or urine sample in 11550 H&S cases, the following procedures should be followed whenever possible:

- If a person is arrested for Heath and Safety Code section 11550(a) and has refused to submit a urine or blood sample, or fails to submit a urine sample, the deputy shall read to the arrestee the advisement from the Department-issued "Urine/Blood Sample Advisement" card. The advisement and refusal should be audio recorded
- The arresting deputy, or deputy who established probable cause for the arrest, completed the Peace Officer's Standards and Training (P.O.S.T.) approved Drug Abuse Recognition (D.A.R.) course or the California Highway Patrol/Los Angeles Police Department P.O.S.T. approved Drug Recognition Expert (D.R.E.) course.
- The initial evaluating deputy should complete two D.A.R. or D.R.E. evaluations of the subject. Whenever possible, the second evaluation should be conducted in a controlled environment.
- A third D.A.R. or D.R.E evaluation should be completed by another D.A.R. or D.R.E trained deputy who was not involved in the initial contact or arrest of the subject. This evaluation should be done in a controlled environment and not in the field. The second deputy must observe clear, objective symptoms.

If a third evaluation was conducted, both the initial evaluating deputy andthe secondary evaluating deputy shall complete the appropriate sections of the Drug Influence Report documenting their observations of drug influence on the subject being evaluated.

430.1.4 HARBOR AND NAVIGATION CODE SECTION 655(B)

- Harbor and Navigation Code section 655(b) makes it unlawful to operate any vessel or manipulate any water skis, aquaplane, or similar device while under the influence of an alcoholic beverage, any drug, or combination of alcoholic beverage and drug. Harbor and Navigation Code section 655(h) makes it unlawful to do so and proximately cause bodily injury to any person other than the operator.
- Harbor and Navigation Code section 655.1(d) states that the arresting officer shall advise the arrestee that "he or she does not have the right to have an attorney present before stating whether he or she will submit to (the test or tests), before deciding which (chemical) test or tests to take, or during the administration of the (chemical) test or tests chosen."
- Harbor and Navigation Code section 655.1(b) states that a peace officer who has lawfully arrested a person in violation of Harbor and Navigation Code section 655, subsections (b), (c), (d), (e), or (f) "may request that person to submit to chemical testing of his or her blood, breath, or urine for the purpose of determining the drug or alcoholic content of the blood.

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- Harbor and Navigation Code section 655(f) states that it is a presumption that the operator of the recreational vessel had.08 percent or more, by weight, of alcohol in his or her blood at the time of the chemical test within three hours after the operation of the vessel.
- When a subject is arrested for a violation of a regulatory code, and the degree of intoxication/influence may prove to ba vital issue, a blood sample should be obtained whenever possible, especially if the violation is a causal factor or results in injury or death.

Exemptions

A. Vehicle Code section 23612(b) and Harbor and Navigation Code section 655.1(i) exempt any person who claims to be afflicted with hemophilia from submitting to a blood test.

B. Vehicle Code section 23612(c) and Harbor and Navigation Code section 655.1(j) exempt any person from submitting to a blood test who claims to be afflicted with a heart condition and is using anticoagulants, or if any other significant medical claims, injuries, or conditions exist which would make the extraction of blood dangerous to the subject's health. The arrestee is not exempt from submitting to a breath and/or urine test.

430.1.5 VICTIMS OF CRIME OR PARTIES IN TRAFFIC COLLISIONS INVOLVING SERIOUS INJURY OR DEATH

If the question of intoxication or drug influence could be raised as an evidentiary factor and another legal justification for obtaining a sample does not exist (e.g., the person is the victim of a crime or a possible suspect but no probable cause exists), investigators should give consideration to the following:

A. The victims' or parties' consent shall be obtained prior to obtaining a blood samples. If the victim is unconscious or physically unable to give consent, the deputy may consider obtaining consent from an immediate (adult) family member. The circumstances and statement pertaining to the consent should be witnessed and recorded in the deputy's report.

B. If the medical facility requires a signed request for a blood specimen, the deputy shall complete the portion of the facility's request form at the direction of the medical facility staff.

C. The Department's "Blood Sample" kit shall be used. As with all blood kits, it shall be booked into a Department evidence refrigerator as soon as possible and documented on the appropriate body fluids log.

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First Amendment Assemblies

431.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

431.2 POLICY

The Ventura County Sheriff's Office respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

431.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, deputies shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors deputies may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Deputies should not:

(a) Engage in assembly or demonstration-related discussion with participants.

(b) Harass, confront or intimidate participants.

(c) Seize the cameras, cell phones or materials of participants or observers unless a deputy is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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431.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious, or social views of associations, or the activities of any individual, group, association, organization, corporation, business, or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

431.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding deputy should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

431.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

431.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

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- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

431.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.

(b) Staffing and resource allocation.

(c) Management of criminal investigations.

(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).

(e) Deployment of specialized resources.

(f) Event communications and interoperability in a multijurisdictional event.

(g) Liaison with demonstration leaders and external agencies.

(h) Liaison with County government and legal staff.

(i) Media relations.

(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.

(k) Traffic management plans.

(l) First aid and emergency medical service provider availability.

(m) Prisoner transport and detention.

(n) Review of policies regarding public assemblies and use of force in crowd control.

(o) Parameters for declaring an unlawful assembly.

(p) Arrest protocol, including management of mass arrests.

(q) Protocol for recording information flow and decisions.

(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.

(s) Protocol for handling complaints during the event.

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(t) Parameters for the use of body-worn cameras and other portable recording devices.

431.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

431.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

Dispersal Order.pdf

431.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to

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harm deputies, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

431.8 ARRESTS

The Ventura County Sheriff's Office should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of deputies and arrestees.

(b) Dedicated arrest, booking and report writing teams.

(c) Timely access to medical care.

(d) Timely access to legal resources.

(e) Timely processing of arrestees.

(f) Full accountability for arrestees and evidence.

(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

431.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

431.9.1 MEDIA ACCESS

If deputies close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment,

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deputies shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

431.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

431.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan

(b) Any incident logs

(c) Any assignment logs

(d) Vehicle, fuel, equipment and supply records

(e) Incident, arrest, use of force, injury and property damage reports

(f) Photographs, audio/video recordings, the Communications Center records/tapes

(g) Media accounts (print and broadcast media)

431.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with County legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event

(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)

(c) Problems identified

(d) Significant events

(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

431.12 ANTI-REPRODUCTIVE RIGHTS CALLS

Deputy response to public assemblies or demonstrations relating to anti-reproductive rights should be consistent with this policy (Penal Code § 13778.1).

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431.13 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Deputies should also receive periodic training on the standards for the use of kinetic energy projectiles and chemical agents for crowd control purposes as identified in Penal Code § 13652.

431.14 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by deputies who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including a deputy, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

(a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.

(b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.

(c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.

(d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.

(e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.

(f) Deputies shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.

(g) An objectively reasonable effort has been made to extract individuals in distress.

(h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.

(i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.

(j) Kinetic energy projectiles or chemical agents shall not be used solely due to any of the following:

    1. A violation of an imposed curfew.

    2. A verbal threat.

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3. Noncompliance with a law enforcement directive.

(k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

431.14.1 USE SUMMARY

The TRT Captain or the authorized designee should ensure that a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the Department at the time of the report and include the information required in Penal Code § 13652.1.

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Chapter 5 - Traffic Operations

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Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC DEPUTY DEPLOYMENT

Several factors are considered in the development of deployment schedules for deputies of the Ventura County Sheriff's Office. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore deputy deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All deputies assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All deputies will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All deputies shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any deputy shall not be used as the sole criterion for evaluating deputy overall performance (Vehicle Code § 41603). The visibility and quality of a deputy's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

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500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when a deputy believes it is appropriate. It is essential that deputies fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Deputies should provide the following information at a minimum:

(a) Explanation of the violation or charge

(b) Court appearance procedure including the optional or mandatory appearance by the motorist

(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court

500.3.3 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter

(b) Felony and misdemeanor driving under the influence of alcohol/drugs

(c) Felony or misdemeanor hit-and-run

(d) Refusal to sign notice to appear

(e) Any other misdemeanor at the discretion of the deputy, such as reckless driving with extenuating circumstances

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If a deputy contacts a traffic violator for driving on a suspended or revoked license, the deputy may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the deputy. The deputy shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The deputy will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.5 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

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Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, deputies should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes deputy might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit and in the side box of each sheriff's motorcycle. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored in the vehicle.

A supply of high-visibility vests will be maintained by each assignment location for replacement of damaged or unserviceable vests.

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Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Ventura County Sheriff's Office prepares traffic collision reports for contract cities in compliance with the California Highway Patrol Collision Investigation Manual (CIM). The California Highway Patrol is responsible for preparing traffic collision reports in unincorporated areas. However, on a case by case basis and as a public service, the Department may prepare traffic collision reports for the unincorporated communities.

501.2 RESPONSIBILITY

Each patrol station will be responsible for distribution of the CIM. The contract station traffic sergeant or a designated contract station traffic Senior Deputy will receive all changes in the CIM manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of this department shall be forwarded to their station Traffic Bureau for approval and data entry into the Records Management System. In Headquarters Station, all traffic collision reports will be approved by a sergeant.

In contract cities, the traffic sergeant will be responsible for all reports on traffic collision statistics to be forwarded to the Patrol Assistant Sheriff, or other persons as required.

501.4 REPORTING SITUATIONS

TRAFFIC COLLISIONS TO BE DOCUMENTED

(a) All collisions occurring on highways.

(b) All collisions occurring on private property that result in:

1. Injury or death
2. Hit and run
3. DUI
4. Damage to public property

(c) Bicycle collisions occurring on highways.

Note: Injury classifications are defined in the CIM

501.4.1 TRAFFIC COLLISIONS INVOLVING COUNTY VEHICLES

Traffic collision investigation reports shall be taken when a County-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results.

In all cases when a Sheriff's Office vehicle has been involved in a collision, has sustained damage in any manner, and/or has been towed, the operator of the vehicle shall submit a Ventura County

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Sheriff's Office Vehicle Damage/Tow Report (Form SO-100) with attached photos of the damage to the operator's supervisor prior to the end of the shift on which the incident occurred.

In cases where injury has rendered the vehicle operator unable to complete the report, the operator's immediate supervisor shall be responsible for the report and photos.

The report shall be submitted to the involved department member's bureau commander for review after the station/unit captain has reviewed and initialed the report.

The original Vehicle Damage/Tow Report shall then be forwarded to the Professional Standards Bureau for review by the Collision Review Committee.

The Professional Standards Bureau staff shall deliver one copy to the Sheriff's Business Office and fax a copy to General Services Agency Risk Management and Fleet Services Administration.

East County Administration shall additionally forward to the east county garage a copy of any report relating to a vehicle assigned to that bureau.

In any case where the vehicle damage is the result of a crime, a crime report shall be completed in addition to the Vehicle Damage/Tow Report.

ON-SCENE COLLISION INVESTIGATION AND REPORTING

When a collision involving a department vehicle results in injury, death, or damage to property other than the department vehicle, an investigation shall be conducted and a Traffic Collision Report shall be completed in addition to the Vehicle Damage/Tow Report.

If the collision occurs in a location outside the Department's jurisdiction, the watch commander may request that an investigation be conducted by the law enforcement agency having geographical jurisdiction. In any event where the requested agency is unable to conduct the investigation, the nearest department traffic bureau will be responsible for the traffic collision report.

Requests for investigations will be made by the watch commander as follows:

Unincorporated county area '" California Highway Patrol.

Incorporated city having a municipal police department '" local police department.

City that contracts for law enforcement services from the Department:

In the incorporated cities that contract law enforcement services from the Department, a qualified traffic collision investigator will conduct the investigation of all collisions which result in major property damage, injury or death.

For those collisions that do not result in injury or which only result in minor property damage, any patrol deputy or trained traffic collision report writer may conduct the investigation.

Nothing in this policy prevents a department manager or a traffic bureau supervisor from requesting another law enforcement agency, including the California Highway Patrol, to lead or assist in the investigation of a fatal or serious injury accident involving a department vehicle within the geographical jurisdiction of a contract city.

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501.4.2 TRAFFIC COLLISIONS WITH SHERIFF'S OFFICE EMPLOYEES

When an employee of this department is involved in a traffic collision on-duty, within the jurisdiction of the Ventura County Sheriff's Office, resulting in a serious injury or fatality, the watch commander, may request the California Highway Patrol for investigative assistance.

The term serious injury is defined as any injury that may result in a fatality.

501.4.3 TRAFFIC COLLISIONS WITH OTHER COUNTY EMPLOYEES OR OFFICIALS

The traffic sergeant or on-duty watch commander may request assistance from the California Highway Patrol for the investigation of any traffic collision involving any county official or employee where a serious injury or fatality has occurred.

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

In compliance with the CIM, traffic collision reports are not required for traffic collisions occurring on private property, unless there is a death or injury to any person involved, D.U.I or a hit and run violation.

An incident report may be taken at the discretion of any supervisor.

501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Traffic collision reports shall be taken in the jurisdiction of all contract cities when a collision occurs on a highway.

501.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION

In the event of a serious injury or death related traffic collision, the watch commander shall notify the appropriate station traffic sergeant and station captain to relate the circumstances of the traffic collision and seek assistance. In the absence of a traffic sergeant, the watch commander or any supervisor may assign a traffic investigator to investigate the traffic collision.

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Vehicle Towing and Release

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Ventura County Sheriff's Office. Nothing in this policy shall require the Department to tow a vehicle.

502.2 STORAGE AND IMPOUNDS

When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

502.2.1 VEHICLE STORAGE REPORT

Department members requesting towing, storage, or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should be given to the tow truck operator, and the original shall be submitted to the Records Bureau as soon as practicable after the vehicle is stored.

502.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES

When a vehicle has been involved in a traffic collision and must be removed from the scene, the deputy shall have the driver select a towing company, if possible. The tow company the driver selects must be able to respond in a timely manner. The deputy shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Sheriff's Communication Center (SCC).

If the owner is incapacitated, or for any reason it is necessary for the Office to assume responsibility for a vehicle involved in a collision, the deputy shall request the dispatcher to call a towing company listed on the rotation tow list. The deputy will then store the vehicle using a CHP Form 180.

502.2.3 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee’s vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high-crime area).

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The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the Department will not be responsible for theft or damages.

502.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS

Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver's license, the deputy shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The deputy shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the deputy shall list on his/her copy of the notice to appear the name and driver's license number of the person to whom the vehicle is released.

When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver's license and current vehicle registration.

502.2.5 DRIVING A NON-COUNTY VEHICLE

Vehicles which have been towed, stored, or impounded by or at the direction of the Office should not be driven by sheriff's personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.2.6 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The deputy shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request.

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502.2.7 RECORDS BUREAU RESPONSIBILITY

Records personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Records Bureau to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d); Vehicle Code § 22852(a); Vehicle Code § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

(a) The name, address, and telephone number of this Department.

(b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.

(c) The authority and purpose for the removal of the vehicle.

(d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice.

502.3 TOWING SERVICES

The County of Ventura utilizes a rotation list for selection of towing services. The towing services selected from the rotation list is based on location of request and equipment requested. Towing services will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.

(b) When a vehicle is being held as evidence in connection with an investigation.

(c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.

502.4 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in sheriff's custody, to provide for the safety of deputies, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

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502.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, deputies should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

502.6 RELEASE OF VEHICLE

The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver's license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver's license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:

1. The vehicle was stolen.
2. If the driver reinstates his/her driver's license or acquires a license and provides proof of proper insurance.
3. Any other circumstance as set forth in Vehicle Code § 14602.6.
4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.

(d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without

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requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.

502.7 TOWING FOR EXPIRED REGISTRATION

Prior to a member removing a vehicle that is found to have expired registration for more than six months, the member shall verify that no current registration exists with the Department of Motor Vehicles (DMV). If current registration exists with the DMV, the vehicle shall not be removed (Vehicle Code § 22651(o)(1)(A)).

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Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

503.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Ventura County Sheriff's Office, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code §§ 22650(a) and 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

503.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Traffic Sergeant will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code § 22851.3(e)(2); Vehicle Code § 22852(d)).

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code §14602.6(b); Vehicle Code § 14602.8(b)).

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code § 14602.6(b) or 14602.8(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations

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where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

The legislative intent and this department's policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

(a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.

1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.

(b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department's expense (Vehicle Code § 22852(e)).

(c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.

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Impaired Driving

504.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY

The Ventura County Sheriff's Office is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California’s impaired driving laws.

504.3 INVESTIGATIONS

Deputies should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All deputies are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating deputies in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

(a) The field sobriety tests (FSTs) administered and the results.

(b) The deputy’s observations that indicate impairment on the part of the individual, and the deputy’s health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).

(c) Sources of additional information (e.g., reporting party, witnesses) and their observations.

(d) Information about any audio and/or video recording of the individual’s driving or subsequent actions.

(e) The location and time frame of the individual’s vehicle operation and how this was determined.

(f) Any prior related convictions in California or another jurisdiction.

504.4 CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

(a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.

(b) The person is under 21 years of age and is arrested by a deputy having reasonable cause to believe that the person’s blood alcohol content is 0.05 or more (Vehicle Code § 23140).

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(c) The person is under 21 years of age and detained by a deputy having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).

(d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the deputy should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.4.1 CHOICE OF TESTS

Deputies shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of the person's blood or breath, and the deputy shall advise the person that the person has that choice. If the person arrested either is incapable, or states that the person is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the deputy may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

In the event the person submits to a blood test where he/she is suspected of being under the influence of a drug or the combined influence of alcohol and any drug, two vacutainers of blood are necessary to complete confirmatory tests. The deputy shall make every reasonable effort to obtain two vacutainers of blood from the medical staff and properly book the evidence into a refrigerated evidence locker. (VCSO Training Bulletin 2013-04) These two samples are in addition to the sample collected for alternate testing per the arrestee's request.

504.4.2 BREATH SAMPLES

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Deputies obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

When the arrested person chooses a breath test, the handling deputy shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614). Deputies shall observe the person 15 minutes prior to administering a breath test.

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The deputy should also require the person to submit to a blood test if the deputy has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an alcoholic beverage and any drug. Evidence of the deputy's belief shall be included in the deputy's report (Vehicle Code § 23612(a)(2)(C)).

504.4.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned deputy. No deputy, even if properly certified, should perform this task.

Deputies should inform an arrestee that if the arrestee chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored, and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because the arrestee has a bleeding disorder or has taken medication that inhibits coagulation, the arrestee shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

504.4.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The deputy shall follow any directions accompanying the urine evidence collection kit. Urine tests should only be utilized if a person is a hemophiliac or unable to give blood.

Urine samples shall be collected and witnessed by a deputy or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The collection kit shall be marked with the person's name, offense, Ventura County Sheriff's Office case number and the name of the witnessing deputy. The collection kit should be refrigerated pending transportation for testing.

504.4.5 STATUTORY NOTIFICATIONS

Deputies requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

504.4.6 PRELIMINARY ALCOHOL SCREENING

Deputies may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The deputy shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs,

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or a combination of the two. Unless the person is under the age of 21, the person shall be advised that the PAS test is voluntary. The deputy shall also advise the person that submitting to a PAS test does not satisfy the person's obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

504.4.7 PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21

If a deputy lawfully detains a person under 21 years of age who is driving a motor vehicle and the deputy has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the deputy shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the deputy may request the person to submit to chemical testing of the person's blood, breath, or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the deputy shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

504.5 REFUSALS

When an arrestee refuses to provide a viable chemical sample, deputies should:

(a) Advise the arrestee of the requirement to provide a sample (Vehicle Code § 23612).

(b) Audio- and/or video-record the admonishment when it is practicable.

(c) Document the refusal in the appropriate report.

504.5.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test as required by law, deputies shall personally serve the notice of order of suspension upon the arrestee and take possession of any state-issued license to operate a motor vehicle that is held by that individual (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).

504.5.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (Penal Code § 1524).

(b) The deputy can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

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ANY JUSTIFICATION FOR AN EXIGENCY PROMPTING A WARRANTLESS FORCIBLE BLOOD DRAW FROM AN INDIVIDUAL ARRESTED FOR DUI SHALL BE PRE-APPROVED BY THE PATROL WATCH COMMANDER.

504.5.3 OBTAINING SEARCH WARRANTS FOR NON-CONSENSUAL BLOOD DRAWS

All requests to seek a search warrant for a forced blood draw shall be approved by the on-duty watch commander. If the watch commander approves the request, the deputy shall seek the warrant via the electronic search warrant process. Additionally, the deputy shall verbally provide the specific facts establishing probable cause to either the watch commander or patrol supervisor. The watch commander or patrol supervisor must concur that probable cause exists prior to submitting the warrant affidavit for judicial review.

Please note that the DUI search warrant process is the only search warrant procedure that **does not** include a review of the warrant application by a deputy district attorney prior to being delivered to a judge.

The Ventura County District Attorney's Office has developed a search warrant template for this process (linked below/posted on the Sheriff's Intranet Forms Section under Patrol Services).

https://sheriffintranet/wp-content/uploads/2019/04/ir_SW_DUI_Blood_Draw_Apr2019-2-2.doc

504.5.4 PROCEDURES WHEN OBTAINING FORCED BLOOD SAMPLES

If a person indicates by word or action that he/she will physically resist a blood draw, the deputy shall request a supervisor to respond. The responding supervisor should:

- Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another deputy) and attempt to persuade the person to submit to such a sample without physical resistance. This dialogue should be recorded on audio if practicable.
- Ensure that the withdrawal is taken in a medically approved manner.
- Ensure the forced withdrawal is recorded on audio and/or video when practicable.
- Monitor and ensure that the type and level of force applied is reasonable under the circumstances:

(a) Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

(b) In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.

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(c) In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted. Ensure the use of force and methods used to accomplish the blood sample draw are documented in the related report. If a supervisor is unavailable, deputies are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.6 ARREST AND INVESTIGATION

504.6.1 WARRANTLESS ARREST

In addition to the arrest authority granted to deputies pursuant to Penal Code § 836, a deputy may make a warrantless arrest of a person that the deputy has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

(a) The person is involved in a traffic crash.

(b) The person is observed in or about a vehicle that is obstructing the roadway.

(c) The person will not be apprehended unless immediately arrested.

(d) The person may cause injury to themselves or damage property unless immediately arrested.

(e) The person may destroy or conceal evidence of a crime unless immediately arrested.

504.6.2 DEPUTY RESPONSIBILITIES

The deputy serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

(a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver’s license to the Department of Motor Vehicles (DMV).

(b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.

(c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.

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Traffic Citations

505.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES

The traffic sergeants shall be responsible for the development and design of all department traffic citations in compliance with state law and the Judicial Council.

505.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the station captain or designee. The request shall be submitted via a Traffic Citation Dismissal Request Form

https://sheriffintranet/wp-content/uploads/2018/08/PM_Traffic_memo.pdf

Upon a review of the circumstances involving the issuance of the traffic citation, the patrol station captain or designee may recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should a deputy determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the deputy may request the court to dismiss the citation.

505.4 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the deputy issuing the citation shall submit the citation along with a notice of correction form. The citation and notice of correction form shall then be forwarded to the traffic bureau supervisor or appropriate designee. The traffic bureau supervisor or designee shall forward the citation and notice of correction to the court having jurisdiction and to the recipient of the citation.

505.5 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.5.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

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(a) Administrative reviews are conducted by the Traffic Bureau or designated station supervisor who will review written/documentary data. Requests for administrative reviews are available at the front desk of each station. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.

(b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

(c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to the Superior Court of California.

505.5.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

(a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking Violation (Vehicle Code § 40215(a)).

(b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).

(c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).

(d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209; Vehicle Code § 40210).

505.5.3 COSTS

(a) There is no cost for an administrative review.

(b) Appellants must deposit the full amount due for the citation before receiving an administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215).

(c) An appeal through Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.

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505.6 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

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Disabled Vehicles

506.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

506.2 DEPUTY RESPONSIBILITY

When an on-duty deputy observes a disabled vehicle on the roadway, the deputy should make a reasonable effort to provide assistance. If that deputy is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available field unit, or notify the agency with primary jurisdictional traffic responsibility, of the need for assistance as soon as practical.

506.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

506.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

506.3.2 EXPENSES

When providing assistance, department personnel shall not cause the department or the County of Ventura to incur any extraneous expenses, such as providing fuel or mechanical supplies.

506.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

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72-Hour Parking Violations

507.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the applicable county or city ordinances regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code §§ 22652.6 and 22669.

507.2 MARKING VEHICLES

Vehicles suspected of being in violation of the respective 72-hour parking ordinance shall be marked and noted on an "Unattended Vehicle" notice. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the "Unattended Vehicle" notice. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 24 hours prior to removal.

All "Unattended Vehicle" notices shall be kept on file at the station with jurisdiction over the area.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

507.2.1 MARKED VEHICLE FILE

The station traffic bureau, or other designated personnel, shall be responsible for maintaining a file for all "Unattended Vehicle" notices.

Designated personnel shall be responsible for the follow up investigation of all 72-hour parking violations noted on the "Unattended Vehicle" notices.

507.2.2 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report (CHP form 180) shall be completed by the deputy authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Bureau immediately following the storage of the vehicle. It shall be the responsibility of the Records Bureau to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the station with jurisdiction to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

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Chapter 6 - Investigation Operations

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Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 MODIFICATION OF CHARGES FILED

Employees of the Ventura County Sheriff's Office are required to receive approval of an assistant sheriff or theirdesignee to request that a district attorney, or any other court official, alter or dismiss pending charges that have been filed with any federal or state court.

600.3 CUSTODIAL INTERROGATION REQUIREMENTS

Any custodial interrogation of a person who is suspected of having committed any violent felony offense should be electronically recorded (audio/video or both as available) in its entirety as otherwise allowed by law. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Deputies should also consider electronically recording a custodial interrogation, or any investigative interview, for any other offense when the deputy reasonably believes it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of an interrogation should be destroyed or altered without written authorization from the District Attorney and the Detective Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or different format provided they are true, accurate and complete copies and are made only for authorized and legitimate law enforcement purposes.

Deputies should not allow the recording to take the place of a thorough report and investigative interviews and should continue to obtain written statements from suspects when applicable.

600.4 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY

The Major Crimes Division Commander is responsible for ensuring the following for cellular communications interception technology operations (Government Code § 53166):

(a) Security procedures are developed to protect information gathered through the use of the technology.

(b) A usage and privacy policy is developed that includes:

1. The purposes for which using cellular communications interception technology and collecting information is authorized.
2. Identification by job title or other designation of employees who are authorized to use or access information collected through the use of cellular communications interception technology.
3. Training requirements necessary for those authorized employees.

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4. A description of how the Department will monitor the use of its cellular communications interception technology to ensure the accuracy of the information collected and compliance with all applicable laws.
5. Process and time period system audits.
6. Identification of the existence of any memorandum of understanding or other agreement with any other local agency or other party for the shared use of cellular communications interception technology or the sharing of information collected through its use, including the identity of signatory parties.
7. The purpose of, process for and restrictions on the sharing of information gathered through the use of cellular communications interception technology with other local agencies and persons.
8. The length of time information gathered through the use of cellular communications interception technology will be retained, and the process the local agency will utilize to determine if and when to destroy retained information.

Members shall only use approved devices and usage shall be in compliance with department security procedures, the department's usage and privacy procedures and all applicable laws.

600.5 USE OF CERTAIN DNA SAMPLES

Known samples of DNA collected from a victim of a crime or alleged crime, and known reference samples of DNA from any individual that were voluntarily provided for the purpose of exclusion are to be used only for the purpose directly related to the incident being investigated and in compliance with the procedures identified in Penal Code § 679.12.

600.6 ANTI-REPRODUCTIVE RIGHTS CRIMES

A member should take a report any time a person living within the jurisdiction of the Ventura County Sheriff's Office reports that the person has been a victim of an anti-reproductive rights crime as defined by Penal Code § 13776 and Penal Code § 423.3. This includes:

(a) Taking a report, even if the location of the crime is outside the jurisdiction of this department or has not been determined (e.g., online harassment).

(b) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Members should encourage the person to review the material and should assist with any questions.

A report should also be taken if a person living outside department jurisdiction reports an anti-reproductive rights crime that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in the [city/county] to facilitate the crime).

A member investigating an anti-reproductive rights crime should ensure that the case is referred to the appropriate agency if it is determined that this department should not be the investigating agency. The victim should be advised that the case is being transferred to the agency of jurisdiction. The appropriate entries should be made into any databases that have been authorized for department use and are specific to this type of investigation.

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The Detective Bureau supervisor should provide the Crime Analysis Unit (CAU)with enough information regarding the number of calls for assistance and number of arrests to meet the reporting requirements to the California Department of Justice as required by Penal Code § 13777. See the Records Bureau Policy for additional guidance.

600.7 STATE REQUIREMENTS FOR FIREARM INVESTIGATIONS

600.7.1 CALIFORNIA DOJ NOTICE OF LOCATION OF REPORTED LOST OR STOLEN FIREARM

When notification is received from the California Department of Justice (DOJ) that a firearm purchase matches an entry made into the Automated Firearms System by the Department as lost or stolen, the Detective Bureau supervisor shall assign a deputy to retrieve the firearm and book the firearm into evidence in accordance with the Property and Evidence Policy. Recovery of the firearm shall be reported pursuant to Penal Code § 11108.2, Penal Code §11108.3, and Penal Code § 11108.5. If appropriate, arrangements may be made to have another state or local law enforcement agency retrieve the firearm on behalf of the Department (Penal Code § 28220).

600.7.2 RELINQUISHMENT OF FIREARMS VERIFICATION

The Detective Bureau supervisor shall designate a member to have access to the Armed Prohibited Persons System (APPS) to receive information regarding individuals in the jurisdiction of the Department who have become a prohibited possessor of a firearm registered in their name and have not provided proof of relinquishment. The member shall document steps taken to verify that the individual is no longer in possession of firearms and provide the information to the Records Bureau for preparation of a quarterly report to the California DOJ (Penal Code § 29813) (see the Records Bureau Policy for additional guidance).

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Crime Scene Investigation Requests/Callout Procedures for the Forensic Services Bureau

601.1 PURPOSE AND SCOPE

This policy explains procedures for calling out Forensic Services Bureau staff to assist in crime scene investigations. The Field Evidence Technician (FET) from the Crime Scene Investigation Unit (CSI) will handle most of the callouts, but there may be instances where Forensic Scientists could provide assistance. The Forensic Scientists can provide additional techniques that may be useful in certain crime scenes, such as homicides, some sexual assaults, cases requiring bullet trajectory analysis, or cases involving blood pattern analysis.

601.2 CALLOUT PROCEDURES

All requests for a FET or a Forensic Scientist must be made through the Patrol Watch Commander (805-662-6755) or the on scene supervisor. It shall be the responsibility of the Watch Commander or the on scene supervisor to evaluate all requests and determine the need for a FET or Forensic Scientist. The Watch Commander will make the necessary request to the CSI Unit. The Watch Commander can contact members of the CSI Unit, the Crime Scene Supervisor, or the Laboratory Assistant Manager for advice on whether a response is warranted.

The Forensic Services Bureau will provide the Watch Commander with a daily schedule and contact information for available callouts.

601.3 AVAILABILITY

If the Watch Commander determines that a FET shall not be called to a crime scene, or that it would be impossible to arrive in a reasonable period of time, but it is deemed desirable to preserve certain physical evidence, the items of evidence shall be collected, identified, and preserved by the field deputy and booked into the Property Room for processing at a later time. See the Property Room Manual found in the document library under Crime Lab-Property & Evidence Manual on the Sheriff's Intranet or go to: https://sheriffintranet/wp-content/uploads/2018/08/PE_manual.pdf for details on booking evidence into the Property Room.

601.4 BOOKING OF EVIDENCE IN ABSENCE OF A FET OR FORENSIC SCIENTIST

Evidence shall not be held by the field deputy, but shall be booked into the Property Room as soon as it is practical. If the evidence should require fingerprint or other examination by the Laboratory an Electronic Request for Analysis Form (ERFA) must be completed (see the link on the Sheriff's Intranet page under Databases).

601.5 CASES NOT NEEDING A FET OR FORENSIC SCIENTIST

The CSI Unit should not be dispatched on the following types of calls unless special circumstances justify their response.

(a) Vehicle burglaries when the stolen articles are of minor value

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(b) Petty theft from vehicles (tires, batteries, etc.)

(c) Out of county stolen vehicles

(d) Attempted entry or attempted burglary

(e) Malicious mischief

(f) Illegal dumping

The CSI Unit should not be dispatched for the sole purpose of recovering or transporting property or items (including the service of search warrants).

(a) The CSI Unit will not transport items listed as "Found Property," "Safekeeping," or "Destruction," unless special circumstances arise.

(b) The CSI Unit should not be called out to deliver alcohol kits, DNA kits, rape kits, or packing supplies unless emergency circumstances justify their response. These kits should be available at the hospitals or the PTDF Watch Commander/Sergeant's Office.

(c) Unless involved in a persons crime, narcotics will not be transported by the CSI Unit, due to the requirement for weighing them and performing a presumptive test (reference Property Manual).

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Sexual Assault Investigations

602.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Senior and Disability Victimization policies.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

602.2 POLICY

It is the policy of the Ventura County Sheriff's Office that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

602.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.

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602.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

602.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim’s rights provisions, as outlined in the Victim and Witness Assistance Policy.

602.5.1 VICTIM RIGHTS

Whenever there is an alleged sexual assault, the assigned deputy shall accomplish the following:

(a) Prior to the commencement of the initial interview, advise the victim in writing of the right to have a victim advocate and a support person of the victim's choosing present at any interview or contact by law enforcement, about any other rights of a sexual assault victim pursuant to the sexual assault victim card described in Penal Code § 680.2, and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).

(b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the deputy shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).

    1. The deputy shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 679.04).

    2. A support person may be excluded from the examination by the deputy or the medical provider if the support person's presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

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602.5.2 VICTIM CONFIDENTIALITY

Deputies investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim's parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting deputy shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim's parent or guardian (Penal Code § 293).

Except as authorized by law, members of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).

602.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated, or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately (Penal Code § 680).

602.6.1 STANDARDIZED SEXUAL ASSAULT FORENSIC MEDICAL EVIDENCE KIT

The Property Room supervisor should make California standardized sexual assault forensic medical evidence (SAFE) kits available to members who may investigate sexual assault cases. Members investigating a sexual assault should use these SAFE kits when appropriate and follow related usage guidelines issued by the California Clinical Forensic Medical Training Center (Penal Code § 13823.14).

602.6.2 COLLECTION AND TESTING REQUIREMENTS

Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). SAFE kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned deputy shall ensure that an information profile for the SAFE kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered

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into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned deputy determines that a SAFE kit submitted to a private vendor laboratory for analysis has not been tested within 120 days after submission, the deputy shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned deputy shall continue to update the status every 120 days thereafter until the testing is complete, the statute of limitations has run, or the SAFE kit is exempt from the update requirement (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned deputy shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18-month period (Penal Code § 680).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

602.6.3 COLLECTION OF DNA REFERENCE SAMPLES

Reference samples of DNA collected directly from a victim of sexual assault, and reference samples of DNA collected from any individual that were voluntarily provided for the purpose of exclusion, shall be protected as provided in Penal Code § 679.12 (Penal Code § 680).

602.6.4 DNA TEST RESULTS

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

(a) Upon receipt of a written request from a sexual assault victim or the victim's authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim's case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned deputy should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim's authorized designee regarding the status of any DNA testing.

(b) Sexual assault victims shall further have the following rights (Penal Code § 680):

1. To be informed if a DNA profile of the assailant was obtained from the testing of the SAFE kit or other crime scene evidence from their case.

2. To be informed if there is a confirmed match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the

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DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.

3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank or the federal Department of Justice or Federal Bureau of Investigation CODIS database of case evidence.

4. To access the DOJ SAFE-T database portal consistent with Penal Code § 680.3(e) for information involving their own forensic kit and the status of the kit.

(c) Provided that the sexual assault victim or the victim's authorized designee has kept the assigned deputy informed with regard to current address, telephone number, and email address (if available), any victim or the victim's authorized designee shall, upon request, be advised of any known significant changes regarding the victim's case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned deputy should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. No deputy shall be required or expected to release any information which might impede or compromise any ongoing investigation.

602.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Bureau supervisor.

Classification of a sexual assault case as unfounded requires the Detective Bureau supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

602.8 CASE REVIEW

The Detective Bureau supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Sheriff.

602.9 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing

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information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

602.10 TRAINING

Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:

1. Initial response to sexual assaults.
2. Legal issues.
3. Victim advocacy.
4. Victim’s response to trauma.
5. Proper use and handling of the California standardized SAFE kit (Penal Code § 13823.14).

(b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:

1. Interviewing sexual assault victims.
2. SART.
3. Medical and legal aspects of sexual assault investigations.
4. Serial crimes investigations.
5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
6. Techniques for communicating with victims to minimize trauma.

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Informants

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with any member of this department for law enforcement purposes. This includes a person agreeing to supply information to the law enforcement officer for a benefit (e.g. a quid pro quo in the form of a reduced or no criminal penalty, money).

603.1.2 TYPES OF INFORMANTS

The following definitions will assist in making distinctions between types of informants:

A. **Citizen Informants**: Individuals who provide information and identify themselves to the law enforcement agency, but want their names withheld from public record. Citizen informants supply information out of a desire to be "good citizens" and are generally considered reliable by the courts.

B. **Anonymous Informants**: Individuals who provide information but do not reveal their identity to the law enforcement agency. The reliability of the information must be established.

C. **Confidential Informants**: Generally, the reliability of these individuals is not presumed and must be established. For the purpose of this order, confidential informants are individuals who gather information and/or provide assistance at the direction of law enforcement with or without the prospect of judicial leniency or monetary compensation. [redacted]

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[redacted]

603.3 USE OF INFORMANTS

Deputies not assigned to special investigative units shall not independently utilize and/or manage confidential informants. Additionally, members of this department should never guarantee absolute safety or confidentiality to an informant.

Before using an individual as a confidential informant the informant file must be approved by the Narcotics Captain, or his/her designee. The deputy requesting use of a potential informant shall compile sufficient information via a thorough background investigation in order to determine the reliability, credibility and suitability of the potential informant. The deputy should focus on all aspects of the potential informant including, but not limited to: age, maturity, criminal history, and potential risk of physical harm to the informant.

Persons with a past history of violent crimes such as murder, robbery, assault with a deadly weapon, or assault on a peace officer, should only be considered as potential informants in Major Crimes level investigations. Persons with prior arrests for child molestation or other sexual assaults crimes should not be used as informants unless approved by the Special Investigations Bureau Commander or above.

Persons who have a prior history of perjury, forgery, fraud, and theft, should be evaluated carefully on a case-by-case basis as these types of crimes can affect the individuals use as a witness in

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court. The use of any informant convicted of the types of crimes described in this paragraph is generally discouraged and shall be subject to the approval of the Narcotics captain, or designee.

Deputies not assigned to special investigative units, shall not independently utilize and/or manage **confidential** informants.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

Deputies assigned to special investigative units shall comply with the policies and/or procedures of their respective units.

If an individual expresses a desire to become an informant in exchange for judicial leniency, proper investigative personnel shall be notified through a supervisor or watch commander.

If it is learned that the informant has previously worked with law enforcement in the past, every attempt should be made to contact the former agency and/or officer prior to utilizing the informant.

There shall be no efforts or attempts to coerce information from a citizen or create a situation where an individual feels threatened or intimidated into supplying information or assistance.

"Oversight" of an informant belongs to the Department - not to any individual deputy or team of deputies. Deputies authorized to utilize confidential informants shall not utilize an informant without the knowledge of their immediate supervisor.

The special investigations unit deputy in charge of recruiting the informant will also be responsible for explaining liability issues as well as entrapment issues.

No deputy shall refuse to disclose information regarding any informant when lawfully ordered to do so (Refer to 1040-1042 of the Evidence Code).

Persons on formal probation or parole shall require the approval of their probation/parole officer prior to being utilized as a confidential informant.

The searching of informants shall be done by members of the same sex.

Informants shall not be introduced to or exposed to more department personnel than is necessary. The deputy handling the informant should minimize the informant's exposure to unit tactics, technical equipment, and undercover vehicles.

Every in person contact with an informant necessitates written documentation detailing the circumstances of the meeting. A synopsis of the meeting shall be documented on a "Contact Report." Pertinent telephone conversations shall also be documented on a Contact Report.

Any time an informant gives information on criminal activity, a debrief report shall be completed listing the criminal activity. The debrief report should be completed in a timely manner and submitted.

Prior to any controlled operation, the informant must be thoroughly strip searched and kept under surveillance before beginning the operation. At the conclusion of all operations, the informant will be strip searched for contraband. Under no circumstances will the informant retain any

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evidence. Any deviation from this strip search protocol shall be approved by a unit supervisor and documented in the appropriate report.

If the informant fails to complete any part of their agreement and/or performs unsatisfactorily at any time, then their future as an informant can be terminated. The officer handling the informant shall submit a written report via a deactivation report and submit it to his/her unit supervisor and to the unit captain detailing their request to terminate the informant from the original agreement.

603.3.1 JUVENILE INFORMANTS

The use of juvenile informants under the age of 13-years is prohibited. Except as provided for in the enforcement of the Tobacco Enforcement Act, Business & Professions Code §§ 22950, et seq., the use of any juvenile informant between the ages of 13 and 18-years is only authorized by court order obtained pursuant to Penal Code § 701.5.

For purposes of this policy, a "juvenile informant" means any juvenile who participates, on behalf of this department, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the juvenile's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party and where the juvenile is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition against the juvenile.

603.3.2 RESTRICTIONS REGARDING JUVENILE INFORMANTS

Juveniles will not be utilized as confidential informants, except under special circumstances.

If a juvenile is to be utilized as a confidential informant, written approval must be obtained from the juvenile's parent or legal guardian and the unit captain shall give final approval prior to any utilization of a juvenile as a confidential informant.

Furthermore, permission of the Superior Court must also be obtained if the juvenile is a ward of the court or has charges pending. (Refer to Penal Code 701.5 - Use of minor informants.)

603.4 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS

All confidential informants are required to sign and abide by the provisions of the departmental Informant Agreement. The deputy using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant.

Details of the agreement are to be approved in writing by the unit supervisor before being finalized with the confidential informant.

603.4.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS

No member of the Ventura County Sheriff's Office shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of the Ventura County Sheriff's Office shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain deputy/informant integrity, the following must be adhered to:

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(a) Deputies shall not withhold the identity of an informant from their superiors;

(b) Identities of informants shall otherwise be kept confidential;

(c) Criminal activity by informants shall not be condoned;

(d) Informants shall be told they are not acting as sheriff's deputies, employees or agents of the Ventura County Sheriff's Office, and that they shall not represent themselves as such;

(e) The relationship between deputies and informants shall always be ethical and professional;

(f) Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of the captain responsible for that special investigative unit handling the informant;

(g) Deputies authorized to utilize confidential informants shall not meet any informant in a one-on-one situation unless they have received prior approval from their immediate supervisor;

(h) Deputies shall not meet alone with a confidential informant of the opposite sex;

(i) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

603.4.2 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

(a) The informant has provided untruthful or unreliable information in the past.

(b) The informant behaves in a way that may endanger the safety of a deputy.

(c) The informant reveals to suspects the identity of a deputy or the existence of an investigation.

(d) The informant appears to be using his/her affiliation with this department to further criminal objectives.

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(e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.

(f) The informant intentionally withholds or destroys evidence.

(g) The informant engages in any other behavior that could jeopardize the safety of deputies or the integrity of a criminal investigation.

(h) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 INFORMANT PAYMENTS

The Ventura County Sheriff's Office recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

603.5.1 INFORMANT PAYMENT PROCEDURE

The potential payment of any sum of money to any confidential informant must be done in a manner respecting public opinion and scrutiny. Additionally, to maintain a good accounting of such funds requires a strict procedure for disbursements.

Any and all money paid to an informant shall be approved by the informant's handler's supervisor. Whenever an informant is paid any money, a "Receipt of Information" form will be completed. The informant, or receiver of funds, is required to sign a receipt of all monies paid. The only exception to this is money paced on an informant's books while in custody. In this case, a receipt for deposit shall be submitted. If an electronic file for an informant exists, payments shall also be documented in the electronic file. Payments to informants shall also be electronically documented in the informant's electronic file. All payments to an informant shall be recorded and witnessed.

The amount of funds to be paid to any confidential informant will be evaluated against the following criteria:

(a) Significance of the violator (target);

(b) The type and quantity of the controlled substance or property seized;

(c) The target's criminal record and/or prior convictions;

(d) The target's violence potential and the impact on the community;

(e) Any associates and/or criminal organizations tied to the target;

(f) The level of risk taken by the informant;

(g) The use of a firearm by the target;

(h) Criminal street gang affiliations and/or STEP Act prosecution.

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Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Penal Code § 859.7).

604.1.1 DEFINITIONS

Definitions related to the policy include:

Blind administration - The completion of a live lineup or photographic identification, where the deputy does not know the identity of the suspect.

Blinded administration - The completion of a live lineup or photographic identification, where the deputy showing the lineup to an eyewitness may know the identity of the suspect, but does not know where the suspect, or his or her photograph, has been placed or positioned in the identification procedure.

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Ventura County Sheriff's Office will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

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604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Detective Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (Penal Code § 859.7):

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.

(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

(k) Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

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The eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures. When it is not feasible to make a recording with both audio and visual representations, an audio recording should be made (Penal Code § 859.7).

604.6 DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

604.6.1 DOCUMENTATION RELATED TO RECORDINGS

The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

604.6.2 DOCUMENTATION RELATED TO BLIND ADMINISTRATION

If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).

604.7 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:

1. The length of time the witness observed the suspect.
2. The distance between the witness and the suspect.
3. Whether the witness could view the suspect’s face.
4. The quality of the lighting when the suspect was observed by the witness.
5. Whether there were distracting noises or activity during the observation.
6. Any other circumstances affecting the witness’s opportunity to observe the suspect.
7. The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

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(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(h)

604.8 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, blind administration should be used so that the member presenting the lineup is not involved in the investigation of the case, nor does he or she know the identity of the suspect. If the member presenting the lineup knows the suspect, blinded administration should be used. This requires the order of the suspect or photos and fillers to be randomized before being presented so the person presenting the lineup does not know the position of the suspect (Penal Code § 859.7) Techniques to achieve this include randomly numbering photographs, shuffling folders, or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup (Penal Code § 859.7).

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

604.8.1 OTHER SAFEGUARDS

Witnesses should be asked for suspect descriptions as close in time to the incident as possible, before conducting an eyewitness identification. No information concerning a suspect should be given prior to obtaining a statement from the witness describing how certain he/she is of the identification or non-identification. Members should not say anything to a witness that that may validate or invalidate an eyewitness' identification. In photographic lineups, writings or information concerning any previous arrest of a suspect shall not be visible to the witness (Penal Code § 859.7).

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Forensic Genetic Genealogy

605.1 PURPOSE AND SCOPE

This policy provides guidance for the use of forensic genetic genealogy (FGG) to generate investigative leads.

605.1.1 DEFINITIONS

Definitions related to this policy include:

Combined DNA Index System (CODIS) - An FBI computer software program that operates deoxyribonucleic acid (DNA) profile databases for law enforcement use.

DNA typing laboratory - A laboratory that analyzes biological samples, including extracted DNA, in order to provide various DNA profile types. State or local crime labs are generally not equipped to provide single nucleotide polymorphism (SNP) DNA profiles; therefore, the use of private DNA typing laboratories is often necessary for FGG.

Extracted DNA - The DNA isolated from a biological sample remaining after previous DNA testing has been completed.

Forensic genetic genealogy (FGG) - The process of obtaining a SNP DNA profile from a biological sample collected during an investigation; uploading the profile to a genetic genealogy site for comparison to the consumer profiles in the site's database to identify genetic relatives; and using the identified genetic relationships, as well as traditional genealogy research, to generate investigative leads.

Genetic genealogist - A genealogist who uses DNA testing with traditional genealogical research methods to assist law enforcement or private clients in identifying biological relatives of an individual.

Genetic genealogy site - A database of DNA profiles voluntarily submitted by public consumers for the purpose of identifying genetic relatives. The availability of genetic genealogy sites for law enforcement use varies depending on their terms of service.

Short tandem repeat (STR) DNA profile - The results of DNA typing in a format that can be processed through CODIS and state DNA databases. This is the type of DNA used in conventional non-FGG law enforcement investigations.

Single nucleotide polymorphism (SNP) DNA profile - The results of DNA typing in a format that enables an unknown DNA sample to be compared to the DNA profiles maintained by a genetic genealogy site. This is the DNA type used in FGG.

605.2 POLICY

The Ventura County Sheriff's Office's use of FGG will be in coordination with prosecutors, the Medical Examiner, and other appropriate resources only in qualifying cases after reasonable conventional investigative methods have been pursued. Members will take reasonable steps to

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maintain the integrity of the FGG process and safeguard the privacy rights of individuals whose DNA profiles are analyzed.

605.3 CRITERIA FOR FGG USE

Before using FGG, the lead investigator should coordinate with the supervisor to determine whether the case meets the following requirements:

(a) Biological evidence collected as part of the underlying investigation (or extracted DNA from the biological evidence) is available for additional testing and is reasonably believed to be attributable to:

1. The perpetrator of an unsolved violent felony.
2. Any unidentified human remains.

(b) Conventional investigative methods should be pursued, unless the investigating agency has determined that FGG is an appropriate and necessary step in the development of investigative leads. FGG is a powerful tool and should not replace traditional conventional investigative methods.

(c) An STR DNA profile has been developed or attempted to be developed from the biological evidence collected in the case and, absent unusual circumstances, has been uploaded to CODIS and any applicable state DNA database for comparison with negative results.

605.4 COORDINATION

On unsolved violent felony cases, once a preliminary determination has been made that a case may qualify for the use of FGG, the lead investigating member should consult with the appropriate prosecutor to address current and prospective legal issues.

In the case of unidentified human remains, the lead investigator should also consult with the Medical Examiner.

605.5 SUBMISSION OF SAMPLE

The biological evidence or extracted DNA should be submitted to a DNA typing laboratory approved by the Department in order to obtain a SNP DNA profile.

Once a SNP DNA profile has been obtained from the biological evidence or extracted DNA, the lead investigating member should arrange for it to be compared to the SNP DNA profiles contained in one or more genetic genealogy sites to identify possible genetic relatives. The lead investigator should work with a qualified genetic genealogist as needed during this process.

When submitting a SNP DNA profile for comparison, the lead investigator or the authorized designee (e.g., assigned genetic genealogist) should confirm that the site's terms of service permit FGG for the type of case being investigated. The use of the SNP DNA profile and any subsequent comparison shall be limited to the original underlying investigation.

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If at any time during the FGG process the case no longer meets the criteria for FGG use, the lead investigator should promptly notify the DNA typing laboratory, genetic genealogy site, and/or genetic genealogist to cease any further analysis and to return all evidence, data, and materials to the Department.

605.6 ANALYSIS OF FGG DATA

Once results of a comparison are received from a genetic genealogy site, the information should be evaluated by a genetic genealogist, who will assist the lead investigator in identifying potential investigative leads.

The lead investigator should promptly and diligently pursue each viable lead identified through the FGG process using traditional investigative methods, as appropriate, to:

(a) Eliminate an individual as a potential suspect in the case.

(b) Link an individual to the case as a potential suspect.

(c) Identify human remains.

605.7 COLLECTION OF THIRD-PARTY DNA SAMPLE

If it is determined that a third-party DNA sample (i.e., from a person not likely to be a suspect in the investigation) should be collected and analyzed for FGG, consent from the third party should be obtained prior to collection.

If there is a reasonable belief that the integrity of the investigation would be compromised by seeking consent from the third party prior to collection, the lead investigator should consult with the prosecutor regarding applicable laws and procedures in both the jurisdiction of the investigation and the jurisdiction where the collection will occur, if different.

The use of a third-party DNA sample shall be limited to the original underlying investigation.

605.8 POST-IDENTIFICATION

Members shall not rely solely on FGG identification of a potential suspect for probable cause to make an arrest or obtain an arrest warrant. Unless there is sufficient evidence independent of the FGG data to support an arrest, a potential suspect identified through FGG should not be arrested until the suspect's identity is confirmed.

Members shall not rely solely on FGG to identify human remains unless there is sufficient evidence independent of the FGG data to declare the identification or confirmation testing has been completed.

Confirmatory DNA testing should be conducted by collecting a known DNA sample from the potential suspect or, in the case of unidentified human remains, from a close biological relative. This known DNA sample should be submitted for comparison to the original unknown DNA profile through conventional methods.

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If a search warrant is needed to obtain a known DNA sample, the lead investigator should consult with the prosecutor.

Once the identity of a suspect or the identity of unidentified human remains has been confirmed through conventional DNA testing, the lead investigator should:

(a) Consult with the prosecutor to evaluate the entire investigative file for consideration of criminal charges or further investigation.

(b) If applicable, consult with the Medical Examiner for an amendment to a certificate of death.

605.9 PRIVACY CONSIDERATIONS

Members should make reasonable efforts to respect and protect the privacy of non-suspect genetic relatives identified through the FGG process. The names and identifying information of any non-suspect genetic relatives should not be included in official reports, probable cause declarations, or affidavits for search warrants and should not be disclosed unless otherwise required by law or court order.

The lead investigator or genealogist should remove the SNP DNA profile from all genetic genealogy sites upon identity confirmation and should retain a copy of the data for department records.

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Chapter 7 - Equipment

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Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

(a) When any member damages real or personal property in the performance of their duties the member shall report it promptly to a supervisor in writing.

(b) Employees shall be responsible for the proper care, maintenance and serviceable condition of County property under their care. The loss of, damage to, or unserviceable condition of any County property shall be promptly reported to a supervisor.

(c) Employees shall be personally responsible for the badge, cap piece, identification card and access cards issued to them. Members shall not permit any other person to borrow or use the items. Loss of such items shall be reported immediately to the member's supervisor and to the Human Resources Bureau in writing, setting forth the circumstances leading to such loss.

(d) Employees who are suspended, resign or separated from the Department for any reason, shall surrender to the Human Resources Bureau, the Professional Standards Bureau or to their supervisor, all the property belonging to the County including any evidence or property entrusted to them for safekeeping.

(e) Employees shall exercise utmost care in the handling of firearms, weapons, chemical agents and explosives. All loaded firearms not considered to be evidence shall be immediately unloaded. Firearms seized as evidence shall be handled in accordance with evidentiary procedures for loaded weapons.

(f) Employees shall not appropriate any County property for personal use. Members who have any person(s) under arrest or detention shall be responsible for the proper safeguarding of such person(s) and their property.

(g) Employees shall not fabricate, withhold, tamper with or destroy evidence of any kind.

(h) Employees who come into possession of any monies or other property shall deliver it to the proper custodian. A report shall be made of the transaction.

700.2.1 ISSUED EQUIPMENT - LOST OR STOLEN REPORTING PROCEDURES

Any Ventura County Sheriff's Office badge or I.D. card as well as any issued piece of equipment is the property of the Department. When any badge or piece of equipment is lost or stolen the responsible employee shall complete the appropriate report. If the responsible employee is a

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general member of the department, he shall seek assistance from a sworn member within his bureau or division. If the loss or theft has occurred in another jurisdiction the member shall report the loss or theft to the local police agency and obtain a report number from them.

700.2.2 PROCEDURE

The badge number or equipment serial number (if applicable) shall be entered into the State APS and NCIC as lost or stolen property. I.D. Cards or other items that will be reproduced cannot be entered into the computer as lost or stolen.

In addition to a police report, the employee shall complete a memorandum to Sheriff's Human Resources outlining the loss or theft and ask for a replacement. This memorandum and a copy of the police report will be placed in the employee's personnel file.

The employee will then report to Sheriff's Human Resources at his earliest convenience. A replacement badge, I.D. card or equipment will be re-issued. All badges are issued in sets. If only one badge is lost the employee will bring the remaining badge to human resources where a replacement set of matching badges will be issued. Sworn members must have matching badge numbers. A new "employee Identification" card will be created by Sheriff's Human Resources showing the new badge number. A replacement badge with a specific number will not be ordered for a lost or stolen badge nor will badges be refurbished. If the lost or stolen badge or equipment is recovered and is returned to Sheriff's Human Resources it can be re-issued upon request of the employee after being removed from the APS computer.

If a weapon is lost or stolen Sheriff's Human Resources will authorize a replacement weapon to be issued at the Training Center - Range Facility.

The loss or theft of any unidentifiable (no serial number) equipment will require only a memo submitted to Sheriff's Human Resources detailing the loss. If it is determined that negligence was the cause of the loss, discipline may be imposed per the policy on "Conduct and Ethics".

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the County's General Claim form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct the memo to the appropriate Assistant Sheriff via channels, which shall include the results of his investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Sheriff or his designee who will then forward the claim to the Sheriff's Business Office.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

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700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Deputies and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY
If employees of another jurisdiction cause damage to real or personal property belonging to the County, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Assistant Sheriff via channels.

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Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.1.1 PRIVACY POLICY

Any employee utilizing any computer, Internet service, phone service or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored using such service.

701.2 DEPARTMENTALLY ISSUED PCD

Depending on an employee's assignment and needs of the position, the Department may, at its discretion, issue a PCD. Such devices shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without reason.

REPLACEMENT OF CELLULAR TELEPHONES

All requests for replacement cellular telephones and equipment should be submitted by e-mail to the Professional Standards Management Assistant. This document must contain an approval from the appropriate manager and indicate the budget unit to be changed to.

For cell phones and equipment provided by contract cities, contact the appropriate contract city representative.

ADDITIONAL CELLULAR TELEPHONES

All requests for additional or new cellular telephones shall be submitted by email to the Professional Standards Management Assistant. This document must contain an approval from the respective Assistant Sheriff or designee and indicate the budget unit to be charged.

ASSIGNMENT, CONTROL AND AUDIT

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The Professional Standards Management Assistant will be responsible for the assignment, control and audit of the Department's cellular telephones. A database will be maintained on all department-owned and/or leased cellular telephones. An annual audit will be conducted to verify both the assignment location and the continued need for the cellular telephone.

REVIEW AND PROCESSING OF CELLULAR TELEPHONE BILLS

(a) The Sheriff's Business Office shall be responsible for the distribution of cellular telephone bills to the appropriate divisions and shall maintain a file of all cellular telephone bills after they are reviewed and signed per the policy set forth below.

(b) The bills will then be distributed to the employee(s) assigned to the cellular telephone. If the phone is not assigned to an individual, the billing will be distributed to the supervisor of the unit to which it is assigned.

(c) The individual to whom the cellular telephone is assigned (or unit supervisor if unassigned) will review the cellular telephone bill for correctness and possible fraud through cloning. The reviewing person must date and sign the billing and if any problems are identified attach the appropriate memorandum and/or crime report(s). Additionally, fraudulent calls shall be identified on the billing by circling and noting them with the letter "F" in the margin.

(d) The Business Office shall establish a review system to ensure that all bills are returned from the divisions.

(e) Each division will assign a manager to conduct periodic reviews of cellular telephone bills for possible fraud and/or misuse.

Employees are responsible for reimbursing the County for personal calls at a payback rate established by the Department. The current reimbursement rate for Sheriff's employees making personal calls within the United States on department issued cellular phones is six (6) cents per minute. Employees shall then attach either a personal check made payable to the County of Ventura or U.S. currency for the amount of their personal telephone calls, and return to the appropriate Department representative.

LOST, STOLEN OR CLONED CELLULAR TELEPHONES

(a) Employees shall immediately report a lost or stolen cellular telephone to their immediate supervisor and then to the Professional Standards Management Assistant, who will then contact the service provider and cancel the service for that particular cellular telephone. After an approval has been received by the Professional Standards Management Assistant and from the captain of the affected bureau or unit, a new cellular telephone will be issued.

(b) Stolen or lost cellular telephones require the user to complete the appropriate crime or lost property report. Copies of the report(s) shall be forwarded to the Professional Standards Management Assistant along with a replacement request.

701.2.1 USE OF PERSONAL COMMUNICATION DEVICES

Patrol personnel shall limit the use of cell phones in order to minimize the disruptive impact on their work performance and avoid any negative public perception.

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Department members possessing a personal cell phone while on duty shall adhere to the following:

Carrying personal cell phones or other personal communication devices will be at the member's own expense. The department will not reimburse for damage or loss of cell phones unless it can be demonstrated that the damage or loss occurred while being used to conduct county business and the county issued phone was not available. Personal cell phones shall be kept in vibrate mode.

(a) PCD's may not be used to conduct personal business while on duty except when brief personal communications may be warranted by the circumstances (e.g. inform family of extended hours).

(b) Extended or frequent use of department-issued PCDs or personally owned PCDs while on duty for personal use is prohibited and may be subject to discipline.

(c) Members shall not text message while driving under any circumstances.

(d) Members shall not install or maintain any applications on PCDs which would allow access to any criminal justice information or evidence (iCop, iShot, etc).

USE OF DEPARTMENT ISSUED CELL PHONES

(a) Patrol members should carry the department issued cell phones on their person.

(b) Members while driving should restrict the use of cell phones to matters of urgent nature. When practical, members should stop their vehicle at a safe and appropriate location to complete their call. To ensure optimum safety, the "hands free" feature of the cell should be used anytime a member is driving and using a cell phone.

(c) Uniformed members shall not use any blue-tooth or headset device.

(d) Members shall not text message while driving under any circumstances.

(e) Patrol members are reminded to place their department issued cell phones on vibrate mode during incidents in which an audible cell phone would be detrimental to officer safety.

(f) Employees shall be responsible for reimbursing the County of Ventura for any charges incurred as a result of personal use.

701.2.2 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and presents a negative image to the public. Deputies operating emergency vehicles should restrict the use of these devices while driving to matters of an urgent nature and should, where practical, stop the vehicle at an appropriate location to complete their call.

Members who are operating department vehicles that are not authorized emergency vehicles shall not use cellular phones or other personal communication devices while driving unless the device is specifically designed and configured to allow hands-free use. In an emergency, wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business related calls or calls or an urgent nature.

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701.2.3 OFFICIAL USE

The use of personal communication devices may be appropriate during the following situations:

(a) Barricaded suspects.

(b) Hostage situations.

(c) Mobile Command Post.

(d) Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.

(e) Major political/community events.

(f) Investigative stakeouts where regular phone usage is not practical.

(g) Emergency contact with outside agency outside agency field unit equipped with PCDs.

(h) When immediate communication is needed and the use of the radio is not appropriate and other means are not readily available.

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Vehicle Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation (GSA Fleet Services Form GSA 87-000014) shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The GSA form and vehicle shall be promptly forwarded to vehicle maintenance for repair.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES

Deputies should inspect the patrol vehicle at the beginning of the shift and the following equipment should be present in the vehicle:

- Emergency road flares
- 1 roll crime scene barricade tape
- 1 first aid kit, CPR mask (assigned to deputy)
- Rip hobble (assigned to deputy)
- 1 blanket
- Bio-hazard kit
- Cell phone
- 1 camera
- Shotgun
- Less lethal shotgun
- Evidence bags and containers
- Latent print collection kit
- DNA swab kit
- Traffic safety vest

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702.3.2 UNMARKED VEHICLES
An employee driving unmarked department vehicles in a detective capacity should have the following equipment present in the vehicle:

- 1 roll crime scene barricade tape
- 1 first aid kit, CPR mask
- 1 blanket
- 1 evidence collection kit
- 1 camera

702.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, deputies driving patrol vehicles shall ensure the vehicle has a full tank at the beginning of shift and shall fill it at the end of shift. Vehicles shall only be refueled at the authorized locations unless emergency conditions exist.

702.5 WASHING OF VEHICLES
All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Deputies in patrol shall obtain clearance from dispatch before responding to the car wash.

Employees using a vehicle shall remove any trash or debris at the end of their shift.

702.6 GENERAL EMPLOYEE USE
General employees using marked vehicles shall ensure all weapons are removed from vehicles before using the marked vehicle. General employees shall also prominently display the "out of service" placards or lightbar covers at all times. General employees shall not operate the emergency lights or siren of any vehicle.

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Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the County of Ventura to provide assigned take-home vehicles.

703.2 USE OF VEHICLES

703.2.1 SHIFT ASSIGNED VEHICLES

The Patrol Superviror shall ensure a copy of the shift assignment roster indicating member assignments and vehicle numbers is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during the member's shift, the new vehicle number shall be documented on the roster.

703.2.2 UNSCHEDULED USE OF VEHICLES

Personnel utilizing a vehicle for any purpose other than their normally assigned duties shall first notify the station administrative sergeant or patrol supervisor and a notation will be made on the daily patrol log indicating the operator's name. This section does not apply to personnel who have an assigned vehicle, such as command staff and detectives.

703.2.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any person in custody, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.2.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Deputies who exit a vehicle rapidly in an emergency

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situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.2.5 MDT
Members assigned to vehicles equipped with a Mobile Digital Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify the Communications Center. Use of the MDT is governed by the Mobile Digital Terminal Use Policy.

703.2.6 PARKING
County owned vehicles should be parked in their assigned stalls. Employees shall not park privately owned vehicles in any stall assigned to a County owned vehicle or in other areas of the parking lot not designated as a parking space unless authorized by a supervisor

703.2.7 INSPECTIONS
The interior of any vehicle that has been used to transport any person other than an employee should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized items have not been left in the vehicle.

703.2.8 AUTHORIZED PASSENGERS
Personnel operating department owned vehicles shall not permit persons other than County employees or persons required to be conveyed in the performance of duty or as otherwise authorized to ride as a passenger in their vehicle.

703.3 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES
Department vehicles may be assigned to individual members at the discretion of the Sheriff. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform the member's regular assignment.

703.3.1 VEHICLES SUBJECT TO INSPECTION
All County owned vehicles are subject to inspection and or search at any time by a supervisor and no employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.4 TAKE HOME VEHICLE SECURITY
Employees assigned a take home vehicle shall ensure:

(a) The vehicle is locked when not attended.

(b) There is a minimum of 1/2 tank of fuel in the vehicle at all times.

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(c) All firearms and other weapons are removed from the interior of the vehicle and placed in the trunk or properly secured in the residence when the vehicle is not attended (refer to Firearms and Qualification policy in chapter 3 regarding safe storage of firearms at home).

When an employee is on vacation, leave, or out of the area in excess of one week, the vehicle should be stored in a secure garage at the employee's residence or at a sheriff's facility.

703.4.1 KEYS

The loss of any assigned vehicle key shall be promptly reported in writing through the employee's chain of command.

703.5 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of Ventura County, a deputy shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

Deputies driving marked vehicles shall be armed at all times.

Deputies may render public assistance, e.g. to a stranded motorist, when deemed prudent.

703.6 MAINTENANCE

(a) Each employee is responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicle.

1. Employees may use the wash racks at the sheriff's facility or maintenance yards (inmate workers may be used to clean vehicles, when available). The drive through car wash at the Government Center may also be utilized.
2. Cleaning/maintenance supplies will be provided by Fleet Services.

(b) Employees shall make daily inspections of their assigned vehicle for service/ maintenance requirements and damage.

(c) Routine maintenance and oil changes shall be done in accordance with the shop schedule. The vehicles will normally be services at the County maintenance shop.

1. When leaving a vehicle at the maintenance shop, the employee will complete a GSA Fleet Services repair request and leave it with the GSA mechanic.
2. Vehicles requiring warranty service shall be taken to the nearest authorized dealer by GSA.

703.6.1 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without permission from the Sheriff's or his designee.

703.7 ACCIDENT, DAMAGE, ABUSE, AND TOWING OF COUNTY VEHICLES

(a) Any time a County owned vehicle is involved in a traffic collision, has sustained damage in any manner, or has been towed, the employee involved shall submit the

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Department "Vehicle Damage/Tow Report" (Form SO-100) to their supervisor by the end of shift. If the employee is incapable, the supervisor shall complete the form.

(b) Regardless of damage, all vehicle accidents must be reported to OR taken to the County of Ventura GSA Fleet Services (672-2060) within 24 hours for an estimate of damage.

(c) If a County owned vehicle is involved in a collision outside the Department's jurisdiction, the Watch Commander may request an investigation be conducted by the law enforcement agency having geographical jurisdiction. In any event where the requested agency is unable to conduct the investigation, the nearest department traffic bureau will respond to investigate and complete the traffic collision report.

- In the incorporated cities that contract law enforcement from the Department, if the collision results in major property damage, injury or death, a qualified traffic collision investigator will conduct the investigation.
- If the collision does not result in injury or results in only minor property damage, any patrol deputy or trained traffic collision report writer may conduct the investigation.
- Nothing in this policy prevents a department manager or traffic bureau supervisor from requesting another law enforcement agency to lead or assist in the investigation of a fatal or serious injury accident involving a department vehicle within the geographical jurisdiction of the contract city.

703.8 COLLISION REVIEW COMMITTEE

An administrative investigation by the Collision Review Committee will be conducted to determine any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

(a) Legal Provisions

1. Sworn Members: Rights per the Public Safety Officers Procedural Bill of Rights (Government Code §§ 3300 et seq., commonly referred to as AB 301.)
2. General Members: Per the "Weingarten" decision - Right to union representative in any interrogation where the possibility of discipline exists. This right only includes union representation.

(b) Definitions

(a) Chairman: A captain from the Department as designated by executive staff.

(b) Assistant Chairman: A sheriff's human resources sergeant representative shall serve as the assistant chairman and divisional representative for Support Services.

(c) Bureau Representative: A sergeant of senior deputy as designated by a bureau commander.

(d) Alternate Representative: A sergeant or senior deputy as designated by a bureau commander.

(c) Composition of Review Board

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1. The collision review board will be composed of eight (8) members. The chairman will serve as a non-voting member.
2. The composition of the board shall be the chairman and assistant chairman, and one member each from East County Patrol, Camarillo Patrol, West County Patrol, Court Services, Detention Services, and Special Services.

(d) Review Procedure

1. It is the involved person's responsibility to obtain and review any related documentation prior to the member's appearance.
2. Each department member who desires to appear before the committee shall contact the assistant chairman to advise of the appearance and advise of plans regarding representation at least two days prior to the scheduled review date advising.
3. All committee members will be given copies of the documentation set for review at least one week prior to the review date.
4. All committee members will formulate written questions that they feel will be needed to clarify any matter set for review.
5. All questions will be submitted to the committee chairman prior to the beginning of each meeting.
6. On the review date, the committee chairman will open the meeting for the purpose of reviewing any questions submitted to the chairman by the committee members.
7. The assistant chairman will admonish the member of the rights provided under the Public Safety Officers Procedural Bill of Rights (if sworn), or the right to representation per Weingarten (if a general member).
8. The assistant chairman will record the entire meeting for future documentation.
9. Each bureau representative will read the essential facts of the accident involving their bureau personnel from the report into the record.
10. The chairman shall advise the member and/or the member's representative that the committee will take a statement at this time.
11. The chairman shall be responsible for asking all questions of the individual member and for soliciting any additional questions from the committee members.
12. After all statements have been received, the chairman shall excuse the Department member and the member's representative.
13. The chairman will open the committee meeting to discussion between the committee members.
14. The chairman will solicit input from any traffic representative(s) relative to the issue of any vehicle mechanical failure, California Vehicle Code violation, or negligence on the part of the Department member.

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15. The chairman will solicit a recommendation from the affected bureau representative relative to the disposition of the damage and/or injuries.

16. The chairman will initiate a vote from the members to determine the decision of the committee. A simple majority vote will determine the committee's decision. The chairman of the committee will advise the Department member of the committee's decision by mail.

(e) Dispositions

1. The assistant chairman shall be responsible for updating the committee files and forwarding the committee's recommendations to the internal affairs captain.

2. The internal affairs captain shall be responsible for any disciplinary recommendations, actions, notifications, and the processing of all required documentation to support the approved recommendations.

3. All department members determined to have been involved in an avoidable collision may be subject to discipline in accordance with this department's policies, County Personnel Rules and Regulations, and respective Memorandums of Agreement.

4. All department members determined to have been involved in an avoidable collision, who have also been involved in a prior avoidable collision, may be subject to progressive discipline in accordance with this department's policies, County Personnel Rules and Regulations, and respective Memorandums of Agreement.

5. If the committee finds that a training deficiency exists, even if the member is not at fault, mandatory remediation shall be ordered. The internal affairs captain shall be responsible for processing the mandatory training notification.

(f) Disciplinary Guidelines

(a) The Sheriff or designee reserves the right to institute, review and/or change the committee's recommendation and/or the recommended discipline based on the circumstances including, but not limited to, the gravity of the collision, extent of damage, and injuries or death.

(b) These disciplinary guidelines are intended to address vehicle traffic collisions only. These guidelines do not apply to incidents involving damage to a department vehicle or other department property resulting from a cause other than a traffic collision.

(c) The following guidelines will apply in the absence of gross negligence or intentional misconduct by the involved member that caused or contributed to the traffic collision. Gross negligence means conduct that is more than ordinary negligence. Ordinary negligence is the failure to exercise ordinary or reasonable care. Gross negligence refers to negligent acts that are aggravated, reckless, or flagrant.

(a) First avoidable incident up to, but not to exceed, a written reprimand given by a divisional representative of the rank of sergeant or higher

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(b) Subsequent avoidable incidents:

(d) Progressive discipline will be imposed for subsequent avoidable incidents in accordance with the Ventura County Personnel Rules and Regulations and Department Policies.

(e) In considering progressive discipline, 1 year from the occurrence date of an incident resulting in a verbal reprimand, 2 years from the occurrence date of an incident resulting in a written reprimand, and 5 years from the occurrence date of an incident resulting in a reduction in pay, suspension, or demotion will be used.

(f) In addition to, or in lieu of the listed discipline, the Sheriff or designee may exercise management prerogative and reassign employees who have been involved in multiple avoidable traffic collisions, or a particularly egregious traffic collision, when doing so would be in the best interests of the Department and/or the employee.

(g) Grievance and Appeal Procedures:

1. Grievance and appeal procedures shall be in accordance with the Department's policies, respective Memorandums of Agreement, and County of Ventura Personnel Rules and Regulations.

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REIMBURSEMENT, PERSONAL EXPENSES AND CLAIMS

704.1 PURPOSE AND SCOPE

Department employees shall be reimbursed for any necessary and reasonable expenses incurred while attending to County business when approved or authorized by the department head; such reimbursement is authorized under Section 3601-3603 and Chapter II of the County of Ventura Administrative Manual.

704.2 REIMBURSABLE COUNTY EXPENSES AND PROCEDURES FOR CLAIMS

Claiming procedure for these expenses shall be filed on the form, "Claim for Reimbursement of Travel Expenses" (PAOF 844) in the following manner: Government regulations pertaining to the county auditor require that each employee submit a claim for his/her expenses in the following manner:

(a) Name of employee;

(b) Address to be used as: Ventura County Sheriff's Office, 800 South Victoria Avenue, Ventura, CA 93009;

(c) Statement of purpose of county business or destination and inclusive dates covering trip, or both;

(d) All receipts should be retained by the claimant (except textbook and tuition) to be made available for examination upon request. Textbook and tuition claims should include copies of all receipts and grade reports.

(e) Detailed breakdown by day and location of meals, lodging, parking fees, etc. Included will be names of individuals involved and where applicable the subject matter discussed;

(f) Prisoner's meals will be itemized as such on transporting officer's claim;

(g) Mileage to be entered in space provided with form PAOF 789 (Trip Log) attached;

(h) Sign declaration statement section; attach required receipt; forward in triplicate to division commander to review and forwarding through channels to department business office. Claims for reimbursement of expenses are to be submitted within thirty (30) days of accrual.

704.3 DEFINITION OF NECESSARY AND REASONABLE EXPENSES

A. Reasonable means that the expenditure was for an amount normally expected to be incurred. As an example, under current County policy the County would normally not

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pay for first class plane fare if suitable accommodations were available at a lower rate. Meal and lodging costs will and are expected to vary depending on the areas involved.

B. Necessary implies that the purpose was appropriate. There is no problem in determining if expenses are necessary when they are incurred in connection with an out-of-County trip. The purpose of the trip is usually quite clearly defined and therefore identifiable as County business. The expense of getting to and from the destination, and the length of time outside the County determines what travel and meal expenses are "necessary".

However, the same is not true for meals within Ventura County. Whether or not the in-County meal is a necessary county expense turns principally on whether this is the only reasonable time to conduct the County business involved. Generally, it is possible to arrange the meetings during normal business hours. Therefore, a clear specific explanation must be made as to why the meal was a necessary part of the meeting.

By itself the fact that an individual is visiting from out of town does not justify paying for his/her meals. It should be noted that generally the employer of the out-of-town visitor will reimburse that individual for out-of-pocket expenses. However, even the lack of such reimbursement does not automatically convert the expense into a necessary County expense.

Additionally, the fact that dinners or other forms of expenses may make meetings more pleasant is not adequate reason to convert the expense into a necessary expense. On the other hand when the meeting is lengthy, such as all day, and it is important to keep the group together or to avoid the time lost when dispersing to eat, the cost of the meal would be necessary to further County business and then would be reimbursable.

If the officer or employee is uncertain as to whether or not the expense can be classified as necessary advance clarification should be obtained from the Auditor-Controller's or County Counsel's offices.

704.3.1 RULES FOR LODGING AND MEALS

A. LODGING - The County will pay actual room rental costs for each day that lodging away from home is required for business reasons. Whenever practical, individuals are expected to use good quality but reasonably priced hotels/motels. Most hotels/motels give a discount to governmental employees which should be requested when making reservations or registering. Employees should also inquire about transient occupancy tax (bed tax) exemption.

B. MEALS - The County will reimburse appropriate meal expenses that are associated with overnight County business travel or are a necessary and ordinary expense of conducting County business based on the following chart. The listed amounts include Tax and 18% maximum tip (unless percentage of gratuity is set by the establishment on the meal receipt). Receipts are required unless the per diem reimbursement method applies and is utilized by the employee. For the current reimbursement rate for meals, refer to Financial Management Chapter VII (C), in the Administrative Policy

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Manual for the County of Ventura.. As a secondary consideration for the Department, meals purchased within the County by employees who are required to work overtime because of some unusual contingency may be reimbursed. Reimbursement to be regulated by the following: A minimum of 4 hours longer than the normal 8-hour working day must be worked (12-hour total), and a normal meal period must occur during the overtime period worked. Reimbursement would be for actual cost.

704.3.2 EXPENSES NOT REIMBURSED BY THE COUNTY

A. Airline or other travel insurance.

B. Annual premiums for personal property insurance.

C. Barbers and hairdressers.

D. Suitcases or other luggage purchased for traveling.

E. Personal telephone calls except where authorized.

F. Taxis or mileage to drive excessive distances for meals.

G. Traffic and parking violations.

H. Doctor bills, prescriptions, or other medical services.

I. Alcoholic beverages.

J. Fees, service charges, interest, etc., related to personal credit cards even if they are used exclusively for County business.

704.4 NON-EMPLOYEE EXPENSES

A County employee may pay expenses of another person (non-County employee) if they were necessary, reasonable and actual expenses incurred while attending to the business of the County. Payment for expenses incurred for or by constituents or citizen observers who are not official participants at an authorized activity is prohibited.

704.5 EXPENSE ADVANCES, PURCHASE ORDERS AND COUNTY CREDIT CARDS

A. Purchase Orders

1. Where possible purchase orders should be utilized. Air travel, tuition and registration are the best example.

B. County Credit Cards

1. Where the Auditor-Controller determines that it is to the benefit of the County he may authorize the issuance of a County credit card to a designated County officer or employee. Terms and conditions governing the use of these cards will be prescribed by the Auditor-Controller.

2. Where the County has credit cards which provide for a discount (i.e., Hertz) the employee/officer should use them in preference to a non-discount cash payment.

C. EXTRADITION ASSIGNMENTS

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1. Employees assigned to extradition cases become state agents. All expenses in connection with extradition assignments are claimed through the District Attorney's Extradition Office.
2. At the time of assignment the employee will be advised of all allowable expenses.
3. Upon completion of such a trip the employee shall submit to the District Attorney's Extradition Office a detailed account and all necessary receipts.

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TEXTBOOK AND TUITION REIMBURSEMENT

705.1 PURPOSE AND SCOPE

The Ventura County Sheriff's Office encourages its employees to further their education in preparation for the changing demands of their jobs and to prepare for promotion within the department. The department expects to benefit from such education through greater employee effectiveness, and therefore intends to share in the costs of tuition, textbooks, registration, and laboratory fees.

705.1.1 COURSES ELIGIBLE

Eligibility may vary depending on the bargaining group representing the individual employee. Employees should consult the Memorandum of Agreement representing their particular bargaining group for specific details. In general, the following guidelines should apply to department employees:

(a) Courses directly related to the employee's occupational field are eligible.

(b) Job-related graduate course work is eligible for reimbursement.

(c) Courses that are prerequisites to job-related courses are also eligible.

(d) Courses must be satisfactorily completed. A grade of "C" or its equivalent is the minimum requirement for reimbursement.

(e) Courses must be offered by a school recognized by the State of California, the Department of Health, Education, and Welfare, or the Veteran's Administration, unless otherwise provided in this policy.

(f) Conferences and seminars can also be eligible for textbook and tuition reimbursement. However, these should be considered for funding from the division's conference and seminar account prior to consideration under textbook and tuition reimbursement. Seminars and workshops directly job-related are eligible if offered in conjunction with a recognized college, educational institution, professional organization or county training facility.

The course work must be recommended and approved by the Sheriff or designee.

705.1.2 COURSES NOT ELIGIBLE FOR REIMBURSEMENT

(a) Those taken to bring unsatisfactory performance up to an acceptable level.

(b) Those that duplicate in-service training.

(c) Those that duplicate training the employee has already received.

705.1.3 COSTS NOT COVERED

(a) Courses must be taken on the employee's own time, on compensatory time, vacation time, or administrative leave.

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(b) Neither transportation nor mileage reimbursement are provided for by this program.

(c) Parking fees, meals, and other costs not specifically covered in this program will not be reimbursed.

(d) Costs for which reimbursement is received from other sources.

(e) Conventions and conferences not qualifying as a "course" are not covered.

705.2 TEXTBOOK AND TUITION REIMBURSEMENT

The amount allowed for reimbursement each fiscal year varies according to each labor agreement. Employees should consult their current Memorandum of Agreement (MOA) for the annual amount eligible for reimbursement. The Sheriff's Business Office will track all claims to assure that they meet the eligibility criteria and do not exceed the dollar amount provided in the appropriate MOA.

Employees shall submit a Textbook and Tuition Reimbursement Application to the commander of the Human Resources Bureau for approval prior to the first class session. Applications must be submitted through the employee's bureau. A copy of the pre-approved Textbook and Tuition Application will be returned for inclusion in the final claim package.

Within 90 days from the date of the last class session, the following documents are to be submitted to the commander of the Human Resources Bureau for reimbursement approval:

- Completed Textbook and Tuition Claim Form
- Copy of the pre-approved Textbook and Tuition Application form
- Receipts Grade card, (if applicable)
- Certificate of completion, (if applicable)

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PROCUREMENT BANK CARD PROGRAM

706.1 PURPOSE AND SCOPE

To improve operational efficiency and reduce costs associated with purchasing supplies for Sheriff's operations, the Department is initiating the Procurement Bank Card Program. This program includes the issuance of a VISA card to designated employees responsible for making purchases of supplies for the various divisions, bureaus and units within the Department. The purchasing card is designed to eliminate the need for requisitions and purchase orders associated with small dollar purchases.

706.2 GENERAL PROVISIONS

The procurement card will have the employee's name embossed on it. The named employee is the only one authorized to use the card. The card has been specially designed to avoid confusing it with personal credit cards. THE PURCHASING CARD SHALL NOT BE USED FOR PERSONAL PURCHASES.

A maximum dollar amount for each single purchase and a total for all purchases made with the purchasing card within a given cycle period will be assigned.

Prior to being issued a procurement card, each designated employee shall be assigned a copy of the County's Procurement Bank Card Procedures Manual; be given the appropriate training and orientation as provided by the General Services Agency/Purchasing Services; and complete a Procurement Bank Card Request Form.

706.2.1 USE POLICY

Use of the card does not relieve the cardholder from adherence to all County and Department acquisition regulations, policies, and procedures. The purchasing card is a supplement to the purchase order process. The following conditions must be met when using the card:

Each single purchase may be comprised of multiple items, but the total cannot exceed the single purchase dollar limit on the purchasing card.

When purchases exceed the limit established by the Department, the normal procedures of using purchase orders must be followed.

The least expensive item that meets the basic need must be sought.

Cardholders must ensure that sufficient appropriations are available prior to making a purchase.

Purchases must not be split to circumvent procurement regulations, i.e., purchase of an item in excess of the individual credit card limit on two separate credit cards. The intent of the policy is to ensure that purchases for items are made on one card at one time. Items comprised of separate components are to be purchased together on one credit card.

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The card must not be used for purchases when the cardholder has a personal interest or knowledge which would create a conflict of interest. An example is buying from a relative or close friend.

Intentional use of the card for other than official County purposes will result in immediate cancellation of the purchasing card and disciplinary action as appropriate.

The purchasing credit card is not to be used for the purchase of services due to the complexity of IRS 1099 reporting. Other restrictions include the purchase of the following:

Ammunition and weapons;

Automobile rental;

Automotive parts, repairs, or maintenance;

Cash advances through bank tellers or teller machines;

Chemicals & hazardous materials;

Consultants, instructors, or speakers;

Fixed asset purchases;

Gasoline, diesel fuel, oil;

Maintenance contracts and service;

Non approved merchant type codes;

Office supplies available on Master County Contract unless required in emergencies;

Operated and maintained equipment rentals. Examples are trucks, tractors and other equipment;

Personal computers, peripheral equipment and printers;

Purchase of items stocked in the Central Stores unless required in emergencies;

Systems office furniture;

Telecommunications equipment;

Travel, lodging and meals;

Work on County property by outside contractors.

706.2.2 RESPONSIBILITIES

Each division, bureau or unit will have a designated officer (approving officer) to approve purchases.

Cardholders will be responsible for logging all purchases on the "Order Log", compiling receipts and reconciling monthly statements of purchases.

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Approving officers will be responsible for reviewing all charges and monthly statements from cardholders and forwarding same to the Business Office by the fifth (5) business day of each month.

The Business Office will be responsible for reviewing all documents to ensure compliance with existing policy and for reconciling monthly statements. The Business Office will maintain all permanent records relating to procurement bank cards.

706.3 COUNTY ISSUED CREDIT CARDS FOR TRAVEL

County credit cards shall be used only in connection with official County business. In cases where it is used to defray an employee's personal expense, the employee is required to reimburse the County for that particular charge. (Example: an employee on an official trip pays for his and his spouse's meal by charging them to the County credit card. The cost of the spouse's meal shall be paid by the employee when he submits his statement of expenses for that particular trip).

The employee using the County credit card shall be ultimately responsible for the charges made against the credit card. That responsibility terminates upon approval of those charges as legitimate business expenses and therefore chargeable against the County.

Lost or stolen County credit cards shall be reported immediately by telephone by the employee who had custody of the card, to be followed by a memorandum to the division custodian who had signed out the card.

Limits on meal and other travel expenses set forth by the Auditor-Controller or the Board of Supervisors shall be adhered to by the employee when using the credit card. The cost of meals such as those obtained from fast food restaurants and other incidentals, such as parking, which could not be paid for with a credit card, shall be reimbursed by submitting a statement of expenses for County reimbursement.

Airline tickets shall be obtained through established County vendors. Credit cards shall not be used to obtain airline tickets except under emergency circumstances, and only with the approval of the respective commander.

706.3.1 PROCEDURES

Each Division Assistant Sheriff will be responsible for appointing credit card custodians for their respective divisions.

The custodian will be responsible for the following:

Proper secure storage, issuance, and timely return of each card upon completion of travel.

The maintenance of a "Credit Card Checkout Log" in conformance with Auditor-Controller policy.

Collecting all receipts from credit card use. If a receipt is lost or otherwise unavailable, a memo from the employee must be submitted in lieu of the receipt. The memo will identify, in detail, what was purchased, where it was purchased, from whom it was purchased, the date it was purchased, and the purchase price.

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Auditing all transactions for mathematical accuracy and conformance to existing policies of the County of Ventura and the Ventura County Sheriff's Office. It will be the responsibility of the custodian to remain current on those policies.

Ensuring that the employee signs the "Acknowledgment of Receipt of Credit Card and Repayment Agreement."

Promptly forwarding all audited receipts and the acknowledgment repayment form to the Business Office. The budget unit and account to be charged should be annotated on the acknowledgment/ repayment form.

The Business Office will reconcile all receipts to the monthly credit card statements and process payments. All permanent records will be maintained by the Business Office.

For purposes of internal control, any designated "Division Custodian" or "Alternate Division Custodian" will not be permitted to use the credit cards entrusted to their custody. To address their needs and still satisfy internal control standards, the support services commander is hereby designated as the "Department Custodian" from whom those designated division custodians may obtain County credit cards subject to the same policy and rules set forth by the Auditor-Controller.

The department custodian will be responsible for maintaining a record of all credit cards assigned to each division custodian.

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SECURITY SYSTEM, SHERIFF'S FACILITIES

707.1 PURPOSE AND SCOPE

To establish accountability for the Department's card key system.

Most sheriff's facilities are secured with an electronic access control and monitoring system which allows access to certain areas using a card key on a "need only" basis.

One card key shall be issued to each deputy sheriff at the time of employment. The access code shall be determined by job function and rank. Professional staff shall be issued a card key according to their job function and location of assignment. Access levels will be changed to accommodate any transfers of assignment or promotion.

A master roster shall be maintained by Sheriff's Human Resources listing the employee's name, card key number, and current access levels. If a card key is damaged or becomes inoperable it shall be returned to Sheriff's Human Resources for a replacement.

Each employee shall be responsible for card key until termination of employment when it shall be returned to Sheriff's Human Resources.

If a card key is lost or stolen, immediate notification of the loss/theft should be made to Sheriff's Human Resources followed by an appropriate official report (i.e., crime report or lost property report) and a memorandum stating the card number if known and the date and circumstances of the loss/theft. Upon notification the card will be removed from the system making it inoperable.

Replacement card keys may be issued upon completion of the necessary reports and memorandum. Employees on leave of absence may retain possession of their key card unless directed otherwise.

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Personal Protective Equipment

708.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

708.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

708.2 POLICY

The Ventura County Sheriff's Office endeavors to protect members by supplying certain PPE to members as provided in this policy.

708.3 DEPUTY RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

708.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Employees who choose to provide their own hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

708.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the

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prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

708.6 HEAD AND BODY PROTECTION

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

708.7 RESPIRATORY PROTECTION

The Administration Division Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (8 CCR 5144):

(a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.

(b) Fit testing, including identification of members qualified to conduct fit testing.

(c) Medical evaluations.

(d) PPE inventory control.

(e) PPE issuance and replacement.

(f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.

(g) Regularly reviewing the PPE plan.

(h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

708.7.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when necessary or whenauthorized by a scene supervisor who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene supervisorshall

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reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene supervisor reasonably believes (8 CCR 5144):

(a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.

(b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.

(c) The member needs to replace the respirator, filter, cartridge or canister.

708.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (8 CCR 5144):

(a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.

(b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.

(c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.

(d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

Respirators assigned to sworn members shall be clean, sanitary, and in good working order.

(a) Cleaning and Disinfection: Respirators will be cleaned and disinfected by the assigned member after each use, using the manufacturer's recommendations for each respirator.

(b) Storage: Respirators will be stored in the issued carrying case in compliance with the manufacturer's recommendation so they are protected against damage, contamination, dust, sunlight, temperature extremes, excessive moisture, and damaging chemicals.

(c) Repairs: Any defective respirators shall be removed from service, and shall be repaired or discarded as appropriate. Any member who determines their respirator needs repair or replacement shall contact the In-Service Coordinator at the Training Center. Only persons who have been trained to perform such operations shall make repairs. All repairs shall be made according to the manufacturer's recommendations and specifications.

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708.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Only filters provided by the department are authorized for use.

A scene supervisor may direct the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

(a) They smell, taste or are irritated by a contaminant.

(b) They experience difficulty breathing due to filter loading.

(c) The cartridges or filters become wet.

(d) The expiration date on the cartridges or canisters has been reached.

708.7.4 SELF-CONTAINED BREATHING APPARATUS

SCBA’s are available in custody facilities. Scene supervisors may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

(a) Entering the hot zone of a hazardous materials incident.

(b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.

(c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene supervisor..

708.7.5 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member (8 CCR 5144).

After initial testing, fit testing for respiratory PPE shall be repeated (8 CCR 5144):

(a) At least once every 12 months.

(b) Whenever there are changes in the type of SCBA or facepiece used.

(c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

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708.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (8 CCR 5144):

(a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.

(b) A physician or other licensed health care professional has reviewed the questionnaire.

(c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

A member's pre-employment medical exam meets these requirements.

708.8 RECORDS

The Training Sergeant is responsible for maintaining records of all:

(a) PPE training.

(b) Initial fit testing for respiratory protection equipment.

(c) Annual fit testing.

Completed medical questionnaires, results of relevant medical tests and personnel medical records are retained by Ventura County Employee Health and are confidential. These records are made available, in accordance with the California Code of Regulations §3204, Title 8, for a minimum of thirty years after an employee's separation or termination.

The records shall be maintained in accordance with the department records retention schedule and 8 CCR 5144.

708.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (8 CCR 3380).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (8 CCR 5144).

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Military Equipment

709.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

709.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body –The Ventura County Board of Supervisors which is the elected body that oversees the Ventura County Sheriff's Office.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Chemical agentscontaining tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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709.2 POLICY

It is the policy of the Ventura County Sheriff's Office that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

709.3 MILITARY EQUIPMENT COORDINATOR

The Special Services Commander will act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

(a) Acting as liaison to the governing body for matters related to the requirements of this policy.

(b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.

(c) Conducting an inventory of all military equipment at least annually.

(d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Ventura County Sheriff's Office (Government Code § 7071).

(e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:

1. Publicizing the details of the meeting.
2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.

(f) Preparing the annual military equipment report for submission to the Sheriff and ensuring that the report is made available on the department website (Government Code § 7072).

(g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner. This information will be posted on the Sheriff's website along with this policy.

709.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department

SEE SECTION 709.11

709.5 APPROVAL

The Sheriff or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Sheriff or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

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(a) Requesting military equipment made available pursuant to 10 USC § 2576a.

(b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.

(e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.

(f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.

(g) Acquiring military equipment through any means not provided above.

709.6 COORDINATION WITH OTHER JURISDICTIONS

On occasion, the Ventura County Sheriff's Office may be required to assist or be assisted by other law enforcement agencies in a formal law enforcement mutual aid request or in support of day to day operational collaboration. In those circumstances, it may be necessary for members to utilize military equipment in order to fulfill an assigned mission. When this occurs, the following shall apply:

(a) Members of the Ventura County Sheriff's Office are required to adhere to this policy, regardless of the operational jurisdiction.

(b) Should members of the Ventura County Sheriff's Office request mutual aid from another law enforcement agency and military equipment is required during the course of the response, the following shall apply:

(c) The Ventura County Sheriff's Office shall remain in charge of the overall incident command.\

1. The incident commander or designee shall brief the supervisor from the assisting agency and inform them of the mission, enforcement posture, and any pertinent information related to the incident.

2. Members of the assisting agency will be expected to adhere to their respective policies and procedures, particularly those governing the use of military equipment.

3. If the incident commander or designee is informed of or witnesses the utilization of military equipment by an assisting agency which is inconsistent with the guidelines set forth in this procedure, the incident commander may elect to cancel the request for mutual aid or re-assign the assisting agency to a different support mission.

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709.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Sheriff or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter by July 1st of each year for as long as the military equipment is available for use (Government Code § 7072).

The Sheriff or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

709.8 COMMUNITY ENGAGEMENT

At least 30 days prior to the governing body review of the annual report, the Department shall post the report on their website. Within 30 days of that posting and prior to the governing body review, the Department shallhold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

709.9 TEST AND EVALUATION OF MILITARY EQUIPMENT

While the Department's current inventory of military equipment is wide ranging and versatile, advancement in technology, tactics, and operational effectiveness may necessitate the expansion or complete replacement of certain items of military equipment.

From time to time, certain equipment vendors and/or manufacturers may loan certain military equipment items to the Ventura County Sheriff's Office for testing by various units to conduct assessments of their products. This process is commonly referred to as "testing and evaluation." During this process, various units and/or subject matter experts conduct assessments of the equipment to determine whether or not the equipment should be considered for purchase. In these circumstances, the Ventura County Sheriff's Office will only use the loaned equipment in a training environment and will not deploy any equipment that is inconsistent with this policy during enforcement action without the approval of the Sheriff and the Board of Supervisors.

709.10 INTENTION TO ACQUIRE ADDITIONAL MILITARY EQUIPMENT

In order to maintain essential availability of needed equipment for operational efficiency and training, the Ventura County Sheriff's Office intends to replenish the stock of the below listed categories of equipment throughout the year. These are perishable items which have a shelf life and/or are consumed through deployment in law enforcement activities and/or training. The Ventura County Sheriff's Office is not seeking additional funds for these purchases as they have historically been made through the existing budgets.

(a) Breaching rounds

(b) Rifle ammunition, including 5.56mm,.223 mm,.308 caliber and.50 caliber

(c) Noise-flash diversionary devices

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(d) Chemical agents containing tear gas or OC, including chemical agent canisters and Pepperball projectiles

(e) Kinetic energy munitions, including 40mm rounds and beanbag rounds

(f) Simunition training rounds

709.11 MILITARY EQUIPMENT INVENTORY

Unmanned, remotely piloted, powered aerial or ground vehicles:

- **Remotely piloted aerial vehicle (RPAV):** Battery operated, remotely piloted, aerial vehicles capable of providing live and recorded video images captured from aerial positions.
  - Legal and Procedural Rules
    - The use is established under FAA Regulation 14 CFR Part 107. It is the policy of the Ventura County Sheriff's Office to utilize RPAV's only for official law enforcement purposes, and in a manner that respects the law and privacy of our community, pursuant to the Ventura County Sheriff's Unmanned Aircraft Systems Operations Manual, Ventura County Sheriff's Office Policy 419 – Aircraft Accidents, State and Federal law, and FAA regulations.
  - Training:
    - Assigned operators must be licensed by the Federal Aviation Administration (FAA). In addition, each operator receives additional monthly training.
  - Fiscal Impact:
    - Approximately $12,500 per year; primarily consisting of battery replacement, general maintenance and repairs.
  - Expected Life Span:
    - 3 to 5 years on all listed equipment
  - Purpose/Authorized Use:
    - These devices may be deployed when an aerial view would assist members of the Sheriff's Office with investigations, including missing persons, search and rescue, vehicle collisions, natural disaster management, crime scene evidence collection, public safety, high-risk apprehension of armed violent suspects, and other life-saving missions.
  - Description / Quantity / Purchase Cost / Capabilities:
    - **DJI Phantom 4**
      - Quantity: 1 (No longer in use)
      - $800 per unit

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- The Phantom 4 is the iconic quadcopter design with a 4K, 12 MP camera. It's capable of approximately 28 minutes of flight time with a huge service ceiling and up to 45 MPH ground speeds.

- **DJI Mavic 2**
  - Quantity: 7
  - $3500 per unit
  - The Mavic 2 is a professional filmmaking drone that gives you the ability to get closer to the action with a 2x 24-48mm optical zoom camera. It's capable of approximately 30 minutes of flight time and has low-noise propellers and omnidirectional obstacle sensing that provides object avoidance with sensors on all sides.
- **DJI Mavic 3**
  - Quantity: 1
  - The Mavic 3 is a powerful flagship camera drone equipped with two cameras and a 3-axis gimbal. The 20MP wide-angle 4/3 CMOS Hasselblad camera and the 12MP telephoto 1/2 CMOS cameras facilitate professional-level imaging. Weighing less than two pounds, the Mavic 3 is capable of approximately 40 minutes of flight time.
  - $4,300
- **DJI Mavic Mini (No Longer in use)**
  - Quantity: 4
  - $400 per unit
  - Weighing less than a pound, the Mavic Mini supports 12MP aerial photos and 2.7K HD videos. A 3-axis motorized gimbal provides superior camera stability and ensures clear, ultra-smooth footage. It's capable of approximately 30 minutes of flight time.
- **DJI Matrice 210**
  - Quantity: 2
  - $35,000 per unit
  - The Matrice 210 quadcopter is meant to go into hazardous conditions and relay vital information to personnel on the ground. It provides multiple camera views and is capable of approximately 30 minutes of flight time, with a range of up to 5 miles.
- **DJI Matrice 30T**
  - Quantity: 1(1 additional in procurement status)
  - $21,300 per unit
  - The Matrice 30T quadcopter has a weatherproof design to withstand the harshest of environments. It integrates a 48MP 1/2" CMOS

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sensor-zoom camera with 5x-16x optical and 200x digital zoom, and is capable of approximately 40 minutes of flight time, with a range of over 4 miles.

- **Yuneec H520**
  - Quantity: 2 (No longer in use)
  - $3000 per unit
  - The H520 is a well-proven platform for police, search and rescue, fire, inspection, agriculture, photography, and survey. The ability to remain stable in 45 MPH winds and reliability to complete a mission with a single rotor failure means the platform works when you do. It's capable of approximately 30 minutes of flight time.
- **AeroVironment Cube**
  - Quantity: 2 (No longer in use)
  - $41,043 & 49,750
  - A rugged and reliable small unmanned aircraft system targeting the needs of first responders. The packaged system fits easily in the trunk of a car and can be assembled and ready for flight in less than five minutes to provide a rapidly deployable eye in the sky, transmitting live video directly to the operator at a fraction of the cost of manned aircraft. It's capable of approximately 40 minutes of flight time.

- **Remotely piloted ground vehicle (RPGV):** Battery operated, remotely piloted, ground vehicles capable of capturing live and recorded video images.
  - Legal and Procedural Rules
    - All listed devices are utilized only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to Ventura County Sheriff's Office Policy 411 – Response to Bomb Calls, Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, State and Federal law.
  - Training:
    - All assigned operators of Bomb Team must complete the FBI's 6-week hazardous device school prior to operating the listed bomb robot devices.
    - Members of the SWAT Team receive formalized instruction and are trained in device operations and practical remote operation instruction for the RoboteX Avatar.
  - Fiscal Impact:
    - Approximately $3,000 per year; primarily consisting of battery replacement, general maintenance and repairs.
  - Expected Life Span:

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- 8 to 10 years

- Purpose/Authorized Use
  - These machines are used to remotely gain visual/audio data, carry equipment, open doors, facilitate disposal of hazardous devices and clear buildings without exposing deputies to hazardous situations. They may be deployed during high risk situations such as searches for wanted subjects, barricaded subjects and hostage rescues. They may also be used to inspect hazardous materials, possible explosive devices and other hazardous situations.
- Description / Quantity / Purchase Cost / Capabilities:
  - **iRobot Packbot 510**
    - Quantity: 5 (2 no longer in use)
    - Military surplus items obtained at no cost from the Defense Logistics Agency's 1033 Program.
    - The iRobot Packbot 510 is a man-transportable robot that performs bomb disposal, surveillance, reconnaissance, and HazMat handling operations, including chemical, biological, radiological and nuclear (CBRN) detection. It easily climbs stairs and navigates narrow passages while relaying real-time audio/video and sensor data while the operator remains at a safer standoff distance.
  - **Remotec F6B Bomb Robot**
    - Quantity: 1
    - $250,000
    - The Remotec F6B is a versatile, heavy-duty robot. Speed and agility unite to make it the first choice for a wide range of missions, and its proven stair climbing ability, rugged and dependable chassis, and an arm capable of lifting mean it's capable of handling any task. It also offers multiple communication options, a chassis and manipulator that allow for many accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.
  - **Remotec HD-1/HD-2 Bomb Robot**
    - Quantity: 2 (No longer in use)
    - One provided by the Federal Bureau of Investigation (2010) and one was a military surplus item obtained at no cost from the Defense Logistics Agency's 1033 Program.
    - The Remotec Andros HD-1/HD-2 are versatile robots with top speeds of over 4 MPH while weighing just over 200 pounds. They can reach tight spaces and go over or under obstacles, providing the ultimate mission flexibility. They are equipped with 360 degree

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rotation arm, integrated microphones, speakers, lighting systems, and forward-looking infrared options.

- **RoboteX Avatar Tactical Robot**
  - Quantity: 1
  - $11,041.50
  - The RoboteX Avatar enhances capabilities of SWAT and tactical response teams by allowing them to quickly and safely inspect dangerous situations. There is no longer a need to send personnel in before you've had a chance to assess the situation. It's quickly and easily deployable, can be navigated over various terrain including stairs, and has two way audio/video capabilities.
- **Remotec MK5A1 Bomb Robo**t
  - Quantity: 2 (No longer in use)
  - $150,000; One was a military surplus item obtained at no cost from the Defense Logistics Agency's 1033 Program.
  - The Remotec MK5A1 is a highly stable, robust partner for hazardous operations. It has variable speed manipulators and an arm that allows for lifting and gives access to dual-sided quick change accessory mounts. A sealed weather resistant enclosure maintains operability in harsh environments, and the patented articulating tracks allow it to traverse ditches, obstacles and rough terrain.
- **Vanguard Digital Bomb Robot**
  - Quantity: 2 (No longer in use)
  - $150,000 per unit
  - The Vanguard Digital robot is a rugged, lightweight machine with a mission duration of two to four hours. It has a telescopic arm and an intuitive laptop-based controller. Its modular construction enables allows it to be re-purposed into alternative roles and makes maintenance and support in the field simple and inexpensive.

Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers:

- **Armored Vehicle**: Commercially produced armored personnel vehicle utilized for law enforcement purposes.
  - Legal and Procedural Rules
    - These vehicles shall only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, as well as State and Federal law.
    - Operators must possess a valid California Class C drivers license.
  - Training:

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- Operators must attend formalized instruction and training on the deployment and use of the vehicle.

- Fiscal Impact:
  - Approximately $2,500 annually; primarily consisting of general maintenance and repairs. The Sheriff's Office also anticipates spending approximately $8,000 in asset seizure funds to outift the new Advanced Rescue Medevac with Sheriff's markings, a radio, and emergency lighting.
- Expected Life Span:
  - 20 years
- Purpose/Authorized Use:
  - This vehicle is to be used during critical incidents to support tactical operations and provide safe transport, security and rescue of department personnel and members of the public. They may also be used during disaster-related emergencies, search and rescue operations, and terrorism preparedness, protection, and response.
- Description / Quantity / Purchase Cost / Capabilities:
  - **LENCO Bearcat**
    - Quantity: 1
    - $242,545
    - The LENCO Bearcat is the standard tactical armored vehicle for special operations units within the US law enforcement community. It's a four-wheeled drive armored vehicle that has excellent on-road driving characteristics and maneuverability in tight urban settings. The large open floor plan is capable of carrying approximately 10 fully equipped deputies.
  - **LENCO Medcat (Advanced Medical Rescue Vehicle)**
    - Quantity: 1
    - $324,000(Donated by Direct Relief)
    - The LENCO Medevac is a four-wheel drive armored vehicle equipped to provide tactical EMS with a safe and effective environment to deal with trauma cases. It is equipped with two tactical litters and ample interior compartments for medical supplies and gear storage.

High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached:

- **High Mobility Multipurpose Wheeled Vehicle (HMMWV)**: A four-wheel drive vehicle utilized to gain access to areas regularly deployed emergency vehicles cannot access.
  - Legal and Procedural Rules

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        - This vehicle shall only be utilized for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 314 – Search and Rescue, Ventura County Sheriff's Office Policy 703 – Vehicle Use, State and Federal law.
        - Operators must possess a valid California Class C drivers license.
    - Training:
        - All assigned operators shall attend instruction in HMMWV operations and practical HMMWV driving instruction.
    - Fiscal Impact:
        - Approximately $3,000 per year; primarily consisting of general maintenance and repair.
    - Expected Life Span:
        - 20 years
    - Purpose/Authorized Use:
        - This vehicle is highly mobile with the capacity to travel over difficult terrain. It is intended to perform rescue missions in areas that are not accessible by traditional first responder vehicles. It may also be used during other emergencies, such as active shooter or hostage scenarios, or antiterrorism preparedness, protection, and response.
    - Description / Quantity / Purchase Cost / Capabilities:
- **AM General HMMWV**
    - Quantity: 1
    - Military surplus items obtained at no cost from the Defense Logistics Agency's 1033 Program
    - The AM General HMMWV is an expanded capacity command and control or general purpose vehicle. This high mobility multipurpose wheeled vehicle is a lightweight, high-performance, diesel powered four-wheel drive vehicle specifically designed to be highly mobile with the capacity to travel over difficult terrain. It can transport up to four passengers.
- **Light Medium Tactical Vehicle (LMTV) 4x4 Utility Truck:** A truck with a high clearance chassis designed to transport cargo and people to and from disaster or flood areas.
    - Legal and Procedural Rules
        - This vehicle shall only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 314 – Search and Rescue, Ventura County Sheriff's Office Policy 703 – Vehicle Use, State and Federal law.
        - A California Class B drivers license is required to operate this vehicle.

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- Training:
  - All assigned operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.
- Fiscal Impact:
  - Approximately $3,000 per year. The cost includes general maintenance and repair.
- Expected Life Span:
  - 20 years
- Purpose/Authorized Use:
  - This vehicle is intended to perform rescue missions in areas not accessible by traditional first responder four-wheel drive vehicles during natural disasters such as flood and/or mudslide incidents. They may also be used during other emergencies, such as active shooter or hostage scenarios, and antiterrorism preparedness, protection, and response
- Description / Quantity / Purchase Cost / Capabilities:
  - Stewart and Stevenson LMTV M1078
    - Quantity: 3 (1 No longer in use)
    - Military surplus items obtained at no cost from the Defense Logistics Agency's 1033 Program
    - The Stewart and Stevenson LMTV M1078 has a CAT 3116 turbo diesel engine with a 2.5 ton payload. It was designed as a four-wheel drive vehicle with high ground clearance and is capable of carrying several people and equipment.

Tracked armored vehicles that provide ballistic protection to their occupants:

- **NIJ Level IV Armored Caterpillar (CAT) Multi-Terrain Loader ("ROOK"):** The ROOK is an armored tractor vehicle used during critical incidents to breach entry points, move law enforcement personnel, perform rescues and provide protection to those involvement in the critical incident
  - Description / Quantity / Purchase Cost / Capabilities:
    - **ROOK – Modified CAT compact track loader chassis**
      - Quantity: 1
      - $332,475 ($300,000 funded by two Cal OES grants)
      - The ROOK is an armored Caterpillar tractor vehicle with mission specific attachments that increase public safety and protect deputies. It operates on tracks which provide much greater ground contact area and weight distribution than a vehicle operating on tires. It also contains external cameras that can be seen by the operator and transmitted to a command center.

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- Attachments: The custom built Armored Deployment Platform (ADP) includes a sloping partial roof cover and floor-to-roof front shield. The ADP provides room for up to four fully-dressed deputies and is equipped with gun ports. It can be raised to 11 feet so that entry can be made on the first or second floor of a building. The Hydraulic Breaching Ram (HBR) attachment can deliver up to 6,500 psi of pressure and much more power than a traditional hand-carried ram. It can be extended six to 10 feet in order to provide a controlled breach of walls, doors and windows. The Grapple Claw can be utilized to gain access to areas where suspects may be trying to hide. With 4,500 pounds of lifting capacity, the grapple claw can be used to remove fortified doors, burglar bars or exterior shrubbery. It can also be used in disaster relief efforts with the ability to remove debris from streets for emergency responders' access. The Vehicle Extraction Tool was fabricated for powerful use in the immobilization or removal of a vehicle in tactical applications. The tool can be used to push, pull or lift a parked vehicle to render it immobile or move it to a safe location.

- Purpose/Authorized Use:
  - Legal and Procedural Rules
    - Armored vehicles shall only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, Ventura County Sheriff's Office Policy 314 – Search and Rescue, and pursuant to State and Federal law.
    - A California Class A drivers license is required to operate this vehicle.
  - Training:
    - All assigned operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.
  - Fiscal Impact:
    - Approximately $4,500 annually; primarily consisting of general maintenance and repair.
  - Expected Life Span:
    - Approximately 20 years
  - The Rook may be utilized during SWAT and/or Bomb Team deployments when there's a need for its defensive ballistic protection, rescue platforms for elevated structure response, and ability to navigate rough terrain environments where certain equipment would be limited. It may also be used during incidents such as natural disasters and can be used to stabilize critical infrastructure and functions to minimize health and safety threats during a critical incident, including mass casualty events or terrorist attacks.

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- The ROOK is only to be utilized during authorized SWAT deployments or in response to a natural disaster.

Command and Control vehicles that are either built or modified to facilitate the operational control and direction of public safety units:

- **Mobile Incident Command Vehicle (MIC)**: A mobile incident command vehicle is an operational command center that is used during critical incidents and pre-staged events. It provides shelter and is equipped with specialized command, control and communication equipment.
  - Legal and Procedural Rules
    - The listed vehicles may only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 703 – Vehicle Use, Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, Ventura County Sheriff's Office Policy 406 – Tactical Response Team Activation, State and Federal law.
    - Certain MIC vehicles in possession of the Sheriff's Office require a California Class B Commercial license.
  - Training:
    - All assigned operators attend formalized instruction and are trained in vehicle operations and practical driving instruction.
  - Fiscal Impact:
    - Approximately $25,000 annually; primarily consisting of communication equipment, general maintenance and repairs.
  - Expected Life Span:
    - Approximately 15 to 20 years for the vehicles. Upgrades for information technology and communication systems are needed approximately every 5 to 10 years.
  - Purpose:
    - The vehicles are used during critical incidents or preplanned events to serve as mobile command centers that offer meeting space, telecommunication capabilities and access to equipment needed by Sheriff's Office personnel.
  - Description / Quantity / Purchase Cost / Capabilities:
    - **2020 Frontline Communications MIC**
      - Quantity: 2
      - $1,100,000 per unit
      - Frontline Communications builds the vehicles that help public safety members coordinate multiple teams and respond with confidence. These 45' mobile command centers have an integrated

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electrical system for maximum operator control, slide-out sections to expand interior space, ergonomically designed driver controls and workstations, and robust power control panels.

- These new vehicles replaced the West County and East County command posts.

- **2003 Skyline Homes MIC - West County Command Post**
  - Quantity: 1
  - $12,363.77
  - The West County command post is a 33' Skyline Homes 5th wheel trailer that is utilized as a mobile operational command center during critical incidents and pre-staged events. It provides shelter and is equipped with specialized command, control and communication equipment. This trailer is towed by a Ford F450 pickup.
  - This trailer is no longer in use and has been relinquished to GSA for auction.
- **2007 Mohawk MIC - East County Command Pos**t
  - Quantity: 1
  - $264,569
  - The East County command post is a custom designed 36' Mohawk 5th wheel trailer that is utilized as a mobile operational command center during critical incidents and pre-staged events. It provides shelter and is equipped with specialized command, control and communication equipment. This trailer is towed by a Ford F650 pickup.
  - This trailer is no longer in use and has been relinquished to GSA for auction.
- **2003 Freightliner MIC - SWAT**
  - Quantity: 1
  - $174,838.19
  - This custom built 29' Freightliner serves as the SWAT command vehicle. It is a non-armored vehicle utilized by SWAT personnel as a mobile command post. It is also used to transports various equipment for deployments/critical incidents and pre-planned events.
- **2010 Pace Trailer - Ojai Search and Rescue Command Post**
  - Quantity: 1
  - $12,900

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- 20' enclosed cargo trailer equipped with specialized command, control and communication equipment. It serves as the Ojai Search & Rescue (SAR) command post and is also used to transport various equipment for SAR related incidents and pre-planned events.

- **2012 Pace Trailer - East County Search and Rescue Command Post**
  - Quantity: 1
  - $15,100
  - 20' enclosed cargo trailer equipped with specialized command, control and communication equipment. It serves as the East County Search & Rescue (SAR) command post and is also used to transport various equipment for SAR related incidents and pre-planned events

Weaponized aircraft, vessels, or vehicles of any kind:

- None in the possession of the Sheriff's Office

Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram:

- **Explosive Breaching Tool:** Tools that are used to conduct an explosive breach to facilitate entry into a target location.
  - Legal and Procedural Rules
    - Explosive breaching tools may only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, State and Federal law.
  - Training:
    - POST certified department instructors teach SWAT team members in the use of explosive breaching tools. SWAT Team members must also complete an 80 hours basic SWAT school prior to deploying an explosive breaching tool.
  - Fiscal Impact:
    - Approximately $200 annually; primarily consisting of repair/part replacement to the shotgun and the purchase of additional breaching rounds.
  - Expected Life Span:
    - Breaching Shotgun: Approximately 20 years
    - Breaching Rounds: Approximately 5 years or until expended.
  - Purpose/Authorized Use:
    - During critical incidents, it may become necessary for the SWAT team to facilitate entry into a target location. A quick and effective breach is one key to a successful tactical mission. Therefore, it is critical that the point of

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entry is breached quickly and as safely as possible. Only trained members of the SWAT team may deploy a breaching shotgun.

- Description / Quantity / Purchase Cost / Capabilities:
  - **Remington 870 Breaching Shotgun**
    - Quantity: 2
    - Approximately $800 per unit
    - A modified 12-guage shotgun used to breach door locks or hinges for entry during tactical operations that is designed to destroy the object it hits and then disperse into a fine powder to upon impact, eliminating fragmentation and mitigating the risk of injury to bystanders.
  - **Defense Technology 12 Gauge Breaching Rounds**
    - Quantity: 21
    - Approximately $7 per round
    - 12-guage shell loaded with a compressed zinc slug, utilizing smokeless powder as a propellant, which is designed to disintegrate into a fine powder upon impact, eliminating fragmentation and mitigating the risk of injury to bystanders.

- **Kinetic Breaching Apparatus: A breaching tool that uses kinetic energy to defeat entry points such as doors and gates**.
  - Legal and Procedural Rules
    - Explosive breaching tools may only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, State and Federal law.
  - Training:
    - All assigned operators shall attend formalized instruction in the use of kinetic breaching tools which shall be provided by members of the SWAT team.
  - Fiscal Impact:
    - Approximately $200 annually; primarily consisting of repairs/part replacement and the purchase of additional cartridges.
  - Expected Life Span:
    - Approximately 20 years
  - Purpose/Authorized Use:
    - A quick and effective breach is one key to a successful tactical mission. During a critical incident or the service of a search warrant, it may become necessary to breach a door or gate to facilitate entry into a target location. Only trained members of the SWAT team or those in specialized

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investigative units who have received training by members of the SWAT team may deploy kinetic breaching tools.

- Description / Quantity / Purchase Cost / Capabilities:
  - **Kinetic Breaching Tool (KBT)**
  - Quantity: 4 (5 additional in procurement status)
  - $11,000 per unit
  - The KBT is a revolutionary mechanical breaching tool that bridges the gap between traditional mechanical breaching, shotgun breaching, and explosive entry. It utilizes a proprietary.45 caliber blank cartridge to deliver up to 850 foot/pounds of force through a hardened steel ram. Unlike explosive or shotgun breaching, all of the force is mechanically driven through a ram. This means that no projectile or explosive energy leaves the device except for the force of the ram which is permanently captured in the device. The ramming surface is narrow enough to focus on a single hinge, yet powerful enough to breach a steel security door. The KBT has an 8-shot cylindrical magazine that allows for multiple shots and also provides for rapid reload.

Firearms and ammunition of.50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition:

- **.50 Caliber Rifle and.50 Caliber Rifle Ammunition:.**50 caliber shoulder mounted rifles designed to have greater accuracy over a long distance than other rifles. The.50 caliber rifle also provides greater penetration in situations where smaller caliber ammunition is ineffective due to armor protection.
  - Legal and Procedural Rules
    - Rifles and rifle ammunition may only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 300 – Use of Force, Ventura County Sheriff's Office Policy 306 – Firearms and Qualification, Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, State and Federal law.
  - Training:
    - Sworn members utilizing rifles and rifle rounds are trained in their use with formalized instruction, including a California POST certified instruction course and regular range qualifications.. Other than a shotgun, only SWAT Team members may deploy firearms and ammunition of.50 caliber or greater. SWAT Team members must also complete an 80 hours basic SWAT school prior to deploying this type of firearm or ammunition.
  - Fiscal Impact:
    - Approximately $500 annually; primarily consisting of general maintenance on the rifle and purchase of additional ammunition.
  - Expected Life Span:

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- Listed Rifles: Approximately 15 years
- Listed Rifles Rounds: Approximately 20 years

- Purpose/Authorized Use:
  - To be used as a precision weapons to address a threat with more accuracy and from a greater distance than other rifles utilized by the Sheriff's Office. This rifle also provides greater penetration in situation where smaller caliber ammunition is ineffective due to armor protection. Only trained members of the SWAT team may deploy a.50 caliber rifle.
- Description / Quantity / Purchase Cost / Capabilities:
  - **Barrett Model 99 Precision Rifle**
    - Quantity: 1
    - Approximately $4000
    - With its brilliantly simple design, hard-core construction and surprisingly few moving parts, the 50 BMG Model 99 single shot bolt action rifle offers match-winning accuracy time and time again, and brings new levels of long-range precision shooting along with dependability and versatility.
  - **Federal AE.50 Caliber BMG Rifle Rounds**
    - Quantity: Approximately 400 rounds
    - Approximately $40 per box of 10 rounds
    - For nearly a century, Federal Ammunition has put its focus on manufacturing quality products with cutting edge technology. This ammunition is loaded with a 660 grain full metal jacket bullet that features a velocity of up to 2910 fps.

Specialized firearms and ammunition of less than.50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue handguns:

- Rifles and Ammunition: Shoulder mounted rifles under.50 caliber designed to have greater accuracy over a longer distance than handguns.
  - Legal and Procedural Rules
    - Rifles and rifle ammunition shall only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 300 – Use of Force, Ventura County Sheriff's Office Policy 306 – Firearms and Qualification, Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, State and Federal law.
  - Training:

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- Sworn members utilizing rifles and rifle rounds are trained in their use with formalized instruction, including a California POST certified instruction course and regular range qualifications.

- Fiscal Impact:
  - Approximately $100 for each rifle; primarily consisting of repair and purchase of additional ammunition.
- Expected Life Span:
  - SWAT Rifles: Approximately 10 years
  - Patrol Rifles: Approximately 15 years
  - Listed Rifles Rounds: Approximately 20 years or until expended
- Purpose/Authorized Use:
  - Rifles of less than.50 caliber are precision weapons intended to address a threat with more accuracy and from a greater distance than a handgun, such as an encounter with an armed or barricaded suspect. They also provide greater penetration of soft body armor than a handgun.
  - Only trained members of the SWAT team may deploy a fully automatic rifle, or a.308 caliber rifle.
- Description / Quantity / Purchase Cost / Capabilities:
  - **Colt M16A1 Rifles**
    - Quantity: 163
    - 71 rifles: Military surplus items obtained at no cost from the Defense Logistics Agency's 1033 Program.
    - 94 rifles: Purchased for approximately $1,250 per unit.
    - The classic M16A1 was the iconic rifle of the Vietnam War. It was issued to the vast majority of U.S. soldiers during the conflict and its general success in combat led to its continued service in the U.S. armed forces in varied forms over the years. A virtual match to the classic design, featuring the same unique triangular handguard, 20-inch pencil-profile chrome lined barrel with a 1/12-inch twist and recognizable carrying handle. These semi-automatic rifles are equipped with iron sights and are capable of firing 5.56mm and.223 caliber ammunition.
    - All patrol deputies and those in specialized investigative assignments are encouraged to receive training in order to carry a patrol rifle.
    - Themilitary surplus M16 rifles are aged and due for replacement. The Sheriff's Office began reducing its inventory of the military surplus rifles over the last year by returning 188 to the federal

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government and transferring ownership of 5 additional to the Ventura County Community College District Police Department.

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- **SIONICS SAR-15 Rifles**
  - Quantity: 392
  - Approximately $2,400 per unit
  - The Sionics Patrol Rifles feature a premium nitride barrel, and enhanced Mil-Spec Trigger, ambidextrous selectors and ambidextrous charging handles. These semi-automatic rifles are also equipped with Magpul MBUS Pro folding iron sights,lighting systemsand optical sighting systems. They are capable of firing 5.56mm and.223 caliber ammunition
  - All patrol deputies and those in specialized investigative assignments are encouraged to receive training in order to carry a patrol rifle.
- **Colt M14 Rifles**
  - Quantity: 7
  - Military surplus items obtained at no cost from the Defense Logistics Agency's 1033 Program.
  - The M14 rifle became the standard-issue rifle for the U.S. military in 1951, and continued until replaced by the M16 rifle in 1968. These semi-automatic rifles are equipped with iron sights and are capable of firing 7.62mm and.308 caliber ammunition.
  - These rifles are only used by the Sheriff's Honor Guard for ceremonies, such as funerals and memorials. They are not deployed for enforcement purposes.
- **Colt M16A2 CQB Rifles**
  - Quantity: 35
  - Approximately $1,200 per unit
  - The M16A2 became the standard service rifle in the 1980's, improving upon the M16A1 by adding the adjustable rear sight, case deflector, heavier barrel, improved pistol grip and buttstock. These rifles are equipped with lighting devices as well as iron sights and optical sighting systems. They are capable of firing 5.56mm and.223 caliber ammunition in either a semi-automatic or fully automatic capacity.
  - These rifles may only be deployed by members of the Sheriff's SWAT Team.
  - These rifles were taken out of service when the new Sionics SBR rifles were issuedto the SWAT team.

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- **SIONICS SBR SWAT Edition Rifles**
  - Quantity: 28
  - Approximately $2,909 per unit
  - The Sionics SBR SWAT Edition rifles feature a 10.75" M-LOK Rail, 11.5" premium nitride barrel, and enhanced trigger. These rifles have ambidextrous selectors, and Radian ambidextrous charging handles. These semi-automatic rifles are equipped with Surefire lighting devices as well as both iron sights and optical sighting systems. They are capable of firing 5.56mm and.223 caliber ammunition.
  - These rifles will be provided to the Ventura County Sheriff's SWAT team in 2022 to replace the Colt M16A2 CQB rifles.
- **Falkor Alpha 308 Rifles**
  - Quantity: 5
  - Approximately $4200 per unit
  - The Falkor Alpha 308 is a precision rifle to address a threat with more accuracy and from a greater distance than the 5.56mm or.223 caliber rifles deployed by the Sheriff's Office. This one of the most innovative, accurate and reliable AR platform rifles on the market. It is built on solid billet aluminum chassis and features our Transition MLOK compatible rail, specifically designed to increase the strength and integrity of the union between the barrel and the upper receiver. This rifle is capable of firing.308 caliber ammunition.
  - These rifles may only be deployed by members of the Sheriff's SWAT Team. SWAT Team members must complete an 80 hours basic SWAT school prior to deploying this rifle
- **Federal AE.223 Caliber 55 Grain Rifle Rounds**
  - Quantity: Approximately 295,000 rounds
  - Approximately $200 per case of 500
  - Federal 223 Remington ammunition features a lead core 55 grain full metal jacket bullet with a non-magnetic, non-corrosive boxer primer and a brass casing. The ammunition offers a muzzle velocity of 3240 fps.
- **Speer Gold Dot.223 Caliber 55 & 64 Grain Rifle Rounds**
  - Quantity: Approximately 41,000 rounds
  - Approximately $400 per case of 500
  - Speer Gold Dot rifle ammunition is engineered to provide industry-leading performance. The jacket is bonded to the core one atom at a time, virtually eliminating core-jacket separation and creating a

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projectile that's accurate, tough and consistent through all common barriers. The ammunition offers a muzzle velocity of 3220 fps.

- **Speer Gold Dot.308 Caliber 168 Grain Rifle Rounds**
  - Quantity: Approximately 18,000 rounds
  - Approximately $265 per case of 200
  - Speer Gold Dot rifle ammunition is engineered to provide industry-leading performance. The jacket is bonded to the core one atom at a time, virtually eliminating core-jacket separation and creating a projectile that's accurate, tough and consistent through all common barriers. The ammunition offers a muzzle velocity of 2650 fps.
- **Hornady.308 Caliber Winchester 168 Grain Rifle Rounds**
  - Quantity: Approximately 25,000 rounds
  - Approximately $280 per case of 200
  - Hornady.308 ammunition features a lead core 168 grain bullet with a heat resistant polymer tip and a brass casing. The ammunition offers a muzzle velocity of 2512 fps.
- **Federal Matchking .308 Rifle Rounds**
  - Quantity: 2,400
  - Approximately $260 per case of 200
  - The Federal 308 Winchester ammunition features a lead core 168 grain hollow point bullet with a muzzle velocity of 2650 fps. The exclusive primer design provides the best sensitivity and most consistent ballistics in the industry. The ammunition offers a muzzle velocity of 3240 fps.

Any firearm or firearm accessory that is designed to launch explosive projectiles:

- None in the possession of the Sheriff's Office

Noise-flash diversionary devices and explosive breaching tools:

- Distraction Device: A less-lethal explosive device that emits an extremely loud band and bright lights to disorient a potentially dangerous suspect during a critical incident.
  - Legal and Procedural Rules
    - Noise-flash diversionary devices may only be used for official law enforcement purposes, and pursuant Ventura County Sheriff's Office Policy 300 – Use of Force, Ventura County Sheriff's Office Policy 405 – SWAT Team Activation, State and Federal law.
    - The below listed noise-flash diversionary devices may only be deployed by trained members of the SWAT team who have received training within the last 12 months.
  - Training:

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- POST certified instructors provide annual training to members of the SWAT team in the use of noise-flash diversionary devices.SWAT Team members must also complete an 80 hours basic SWAT school prior to deploying this type of device.

- Fiscal Impact:
  - Approximately $1,000 annually. The cost includes the purchase of replacement devices.
- Expected Life Span:
  - Until deployed or a maximum of 5 years
- Purpose/Authorized Use:
  - Noise-flash diversionary devices produce a loud "bang" with a brilliant white light to cause short-term physiological/psychological sensory deprivation in order to allow law enforcement members a tactical advantage during critical incidents such as high risk search warrants, arrests of armed and violent suspects, and hostage rescue.
- Description / Quantity / Purchase Cost / Capabilities:
  - **Defense Technology Low Roll II Distraction Device**
    - Quantity: 24
    - Approximately $50 per unit
    - The 11-gram non-reloadable, non-fragmenting, light and sound distraction device incorporates an M201A1 type fuse with steel hex design body to limit movement and rolling once deployed.
  - **Combined Tactical Systems Flash-Bang**
    - Quantity: 5
    - Approximately $50 per unit
    - A non-bursting, non-fragmenting, light and sound distraction device that produces a single loud bang and flash of light. The patented design incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface.
  - **Combined Tactical Systems Multi Flash-Bang**
    - Quantity: 11
    - Approximately $135 per unit
    - A non-bursting, non-fragmenting, less-lethal light and sound diversionary device that produces multiple loud bang sounds and flashes of light.
  - **Combined Tactical Systems Command Initiated Flash-Bang**

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- Quantity: 16 - Expired
- Approximately $45 per unit
- A non-bursting, non-fragmenting, light and sound diversionary device that incorporates an M201 type fuse. This device may be hand thrown or deployed with a flash-bang pole.

- **Royal Arms International 12 Gauge GB-82: Flash Bang Hard Rounds**
  - Quantity: 16 - Expired
  - Approximately $50 per unit
  - For use with a 12 gauge shotgun round with cylinder smooth bore barrels only. Designed as a less lethal diversionary round that can breach solid wood doors, sliders and car windows.
- The Sheriff's Office does not use any other "explosive" breaching tools other than what is discussed above in the section titled, "Battering rams, slugs, and breaching apparatuses that are explosive in nature."

Chemical Sprays containing tear gas or OC, excluding standard, service-issued handheld pepper spray:

- Chemical Agent Canisters: Less-lethal canisters containing chemical agents designed to be an irritant to those exposed.
  - Legal and Procedural Rules
    - Chemical agents may only be used for official law enforcement purposes, and pursuant to Ventura County Sheriff's Office Policy 300 – Use of Force, Ventura County Sheriff's Office Policy 302 – Control Devices and Techniques, Ventura County Sheriff's Policy 431 – First Amendment Assemblies, and State and Federal law.
    - A supervisor must approve the deployment any chemical agent within a Detention facility other than the standard service issued hand-held pepper spray.
    - Only the SWAT team is authorized to deploy a chemical agent, other than the standard service issued hand-held pepper spray, in a patrol setting. SWAT Team members must also complete an 80 hours basic SWAT school prior to deploying this type chemical agent.
  - Training:
    - Sworn members utilizing chemical agents are trained in their use with formalized instruction, including a California POST certified chemical agent course and a California POST recertification course every three years.
  - Fiscal Impact:
    - Approximately $300 annually; consisting of the cost to purchase replacement canisters.

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- Expected Life Span:
  - 5 years from the manufacturing date
- Less-lethal tool used to compel violent/armed and barricaded suspects from structures and vehicles when the circumstances are too hazardous for deputies to enter. May also be used against members of riotous crowds to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under control.
- Purpose/Authorized Use:
- Description / Quantity / Purchase Cost / Capabilities:
  - **Combined Tactical Systems OC Chemical Agent Canisters**
    - Quantity: 0 (1ol in procurement status)
    - Approximately $43 per unit
    - A high volume continuous burn device that expels its payload in 20-40 seconds through multiple emission ports. This launchable device that dispels smoke and oleoresin capsicum (OC) chemical agent is specifically for outdoor use and not to be deployed on rooftops, in crawl spaces or indoors due to potential fire hazard.
  - **Combined Tactical Systems CS Chemical Agent Canisters**
    - Quantity: 23 - Expired (15 in procurement status)
    - Approximately $30 per unit
    - A high volume continuous burn device that expels its payload in approximately 20-40 seconds through gas ports. This launchable device that dispels smoke and 2-chlorobenzalmalononitrile (CS) chemical agent is specifically for outdoor use and should not be deployed on rooftops, in crawl spaces or indoors due to potential fire hazard.
  - **Defense Technology OC Chemical Agent Canisters**
    - Quantity: 6 - Expired
    - Approximately $30 per unit
    - Designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on top of the canister. The volume of the smoke and agent is vast and obtrusive. This launchable device is 6.0 in. by 2.35 in. and holds approximately.88 oz. of oleoresin capsicum (OC) chemical agent.
  - **Defense Technology CS Chemical Agent Canisters**
    - Quantity: 27 - Expired
    - Approximately $25 per unit

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- A high volume continuous burn device that expels its payload in 20-40 seconds through multiple emission ports. This launchable device that dispels smoke, oleoresin capsicum (OC), and chlorobenzalmalononitrile (CS) chemical agents is specifically for outdoor use and not to be deployed on rooftops, in crawl spaces or indoors due to potential fire hazard.t.

- **40MM Launching Cup Attachment:** Launching cups that attach to a 12-gauge less lethal shotgun in order to allow the launch of chemical agent or smoke canisters from a distance.
  - Legal and Procedural Rules
    - It is the policy of the Sheriff's Office to utilize chemical agent launching cups for official law enforcement purposes, and pursuant to the Ventura County Sheriff's Office Policy 300 – Use of Force, Ventura County Sheriff's Office Policy 302 – Control Devices and Techniques, Ventura County Sheriff's Policy 431 – First Amendment Assemblies, State and Federal law.
    - Only trained members of the SWAT team may deploy a chemical agent through a launching cup.
  - Training:
    - Sworn members utilizing 40mm launcher and rounds are trained in their use with formalized instruction.
  - Fiscal Impact:
    - No annual maintenance
  - Expected Life Span:
    - Approximately 25 years
  - Purpose/Authorized Use:
    - Less lethal tool used to compel violent/armed and barricaded suspects from structures and vehicles when the circumstances are too hazardous for deputies to enter. May also be used to compel large, violent and riotous crowds to disperse from an outdoor area.
  - Description / Quantity / Purchase Cost / Capabilities:
    - **Remington 12 gauge 40mm Launching Cup**
      - Quantity: 1
      - Approximately $300
      - The launching cup is capable of being attached to most 12-gauge shotguns and launching canisters of chemical agents or smoke.

- **PepperBall Launcher:** A non-lethal device that discharges small hard plastic projectiles containing a powder chemical agent.
  - Legal and Procedural Rules

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- It is the policy of the Sheriff's Office to utilize pepperball launchers and projectiles only for official law enforcement purposes, and pursuant to the Ventura County Sheriff's Office Policy 300 – Use of Force, Policy 302 – Control Devices and Techniques, Ventura County Sheriff's Policy 431 – First Amendment Assemblies, State and Federal law.

- Training:
  - Sworn members utilizing the pepperball launchers are trained in their use with formalized instruction. In addition, sworn members utilizing chemical agents receive California POST certified training and recertification course every three years.
- Fiscal Impact:
  - Approximately $1,000 annually; primarily consisting of the cost to repair launchers and purchase of additional projectiles.
- Expected Life Span:
  - Pepperball Launchers: Approximately 20 years
  - Pepperball Projectiles: Approximately 3 years
- Purpose/Authorized Use:
  - Less lethal tool used from a distance in order to compel potentially violent suspects to cease dangerous actions and comply with arrest.May also be used against specific members of riotous crowds to defend against a threat to life or serious bodily injury, or to bring an objectively dangerous and unlawful situation safely and effectively under contro.l
- Description / Quantity / Purchase Cost / Capabilities:
  - **VKS Pepperball Launcher**
    - Quantity: 9
    - Approximately $900 per unit
    - The Variable Kinetic System (VKS) is a compressed-air powered launcher designed to fire non-lethal pepperball projectiles. It features a dual feed system that offers the ability to quickly switch between hopper mode and magazine mode for optimum versatility.
  - **FTC Pepperball Launcher**
    - Quantity: 3
    - Approximately $600 per unit
    - The FTC is a high-capacity, semi-automatic launcher that uses compressed-air to fire non-lethal pepperball projectiles. It features a hopper that can hold up to 180 rounds and a flexible air source configuration.
  - **Pepperball LIVE Projectile**

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- Quantity: Approximately 2,500
- Approximately $2 per projectile
- The basic Pepperball projectile is designed for direct impact and contains 2% PAVA powder.

- **Pepperball VXR LIVE Projectile**
  - Quantity: Approximately 750
  - Approximately $3 per projectile
  - The Pepperball VXR projectile is designed for direct impact and contains a more concentrated 5% PAVA powder.
- **Pepperball Green Marking Projectile**
  - Quantity: 2000
  - Approximately $2 per projectile
  - The projectile is designed for direct impact and contains a green paint solution that can mark suspects for later apprehension and/or doors, openings, or objects for identification.

TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs):

- None in the possession of the Sheriff's Office.

Kinetic energy weapons and munitions:

- **40 MM Launchers and Rounds**: A shoulder mounted launcher designed as a less lethal tool to launch impact rounds and rounds containing chemical agents.
  - Legal and Procedural Rules
    - It is the policy of the Sheriff's Office to utilize 40mm launchers and 40mm rounds only for official law enforcement purposes, and pursuant to the Ventura County Sheriff's Office Policy 300 – Use of Force, Policy 302 – Control Devices and Techniques, Ventura County Sheriff's Policy 431 – First Amendment Assemblies, State and Federal law.
  - Training:
    - Sworn members utilizing 40mm launcher and rounds are trained in their use with formalized instruction. In addition, sworn members utilizing chemical agents receive California POST certified training and recertification course every three years.
  - Fiscal Impact:
    - 40mm Launchers: Approximately $125 annually; primarily consisting of repair/part replacement.
    - 40mm Rounds: Approximately $2,000 annually; consisting of the purchase of replacement rounds.

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- Expected Life Span:
  - 40mm Launchers: Approximately 15 years
  - 40mm Rounds: Approximately 5 years
- Purpose/Authorized Use:
  - Less lethal tools are designed to be used from a distance in order to compel potentially violent suspects to cease dangerous actions and comply with arrest.
- Description / Quantity / Purchase Cost / Capabilities:
  - **Defense Technology SL1 40mm Launcher**
    - Quantity: 23 (2 additional in procurement status)
    - $1000 per unit
    - The SL1 is a tactical single shot launcher that fires 40mm less lethal rounds, up to 4.8" in cartridge length.
  - **Defense Technology 40mm Tactical 4-Shot Launcher**
    - Quantity: 0(6 in procurement status)
    - $3000 per unit
    - The 40mm Tactical 40-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features an expandable stock, adjustable front grip, and an enhanced drive mechanism for positive cylinder alignment.
  - **Defense Technology LMT 40mm Launche**r
    - Quantity: 7
    - $1600 per unit
    - The LMT is a tactical single shot launcher, with a collapsible stock and adjustable front grip. It fires standard 40mm less lethal ammunition, up to 4.8" in cartridge length.
  - **Penn Arms SL6 40mm Multi-Launcher**
    - Quantity: 2
    - $3300 per unit
    - The SL6 is a 40mm spring-advanced magazine drum launcher with a six-shot capacity and a rifled barrel.
  - **Defense Technology 40mm Impact Sponge Rounds**
    - Quantity: 300
    - Approximately $25 per unit

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- The 40mm Impact Sponge is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose is spin stabilized through the incorporated rifled collar and the launcher's rifled barrel. The round utilizes smokeless powder as the propellant; therefore, making velocities extremely consistent.

- **Defense Technology 40mm Direct Impact OC Rounds**
  - Quantity: 110
  - Approximately $30 per unit
  - The 40mm Direct Impact OC Round is a point-of-aim, point-of-impact direct-fire round. It contains a lightweight plastic and crushable foam nose that disperses approximately 5 grams of oleoresin capsicum (OC) upon impact. An excellent solution whether you need to incapacitate a single subject or control a crowd.
- **Defense Technology 40mm Direct Impact CS Rounds**
  - Quantity: 10 - Expired
  - Approximately $30 per unit
  - The 40mm Direct Impact CS Round is a point-of-aim, point-of-impact direct-fire round. It contains a lightweight plastic and crushable foam nose that disperses approximately 5 grams of 2-chlorobenzalmalononitrile (CS) upon impact. An excellent solution whether you need to incapacitate a single subject or control a crowd.
- **Defense Technology Ferret 40mm OC Powder Barricade Penetrating Projectile**
  - Quantity: 17 - Expired
  - Approximately $25 per unit
  - This Ferret 40mm Barricade Penetrating Round is filled with 4.1 grams of oleoresin capsicum (OC). It's a frangible projectile that is spin stabilizing through barrel rifling. It is non-burning and designed to penetrate barriers (windows, hollow core doors, and wallboard) and upon impact the nose cone ruptures and releases the chemical agent.
- **Defense Technology Ferret 40mm CS Powder Barricade Penetrating Projectile**
  - Quantity: 12 - Expired
  - Approximately $25 per unit
  - This Ferret 40mm Barricade Penetrating Round is filled with 6.9 grams of 2-chlorobenzalmalononitrile (CS). It's a frangible projectile that is spin stabilizing through barrel rifling. It is non-burning and designed to penetrate barriers (windows, hollow core doors, and

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wallboard) and upon impact the nose cone ruptures and releases the chemical agent.

- **Defense Technology Stinger 40mm 60-Caliber Rubber Balls Round**
  - Quantity: 230
  - Approximately $30 per unit
  - The Stinger 40mm 60-caliber round is most widely used as a crowd management tool by law enforcement and corrections personnel. It utilizes smokeless powder as the propellant to maintain consistent velocities and tight shot patterns. Each projectile contains approximately 18 rubber balls..
- **Defense Technology Rubber Stingball Grenade**
  - Quantity27
  - Approximately $50 per unit
  - The Stinger Rubber Ball Grenade is a maximum effect device that delivers light, sound, and rubber pellets in a 50 foot radius.

- **Less Lethal Shotgun and Ammunition:** A shotgun used to deploy the less lethal 12-gauge Beanbag Round.
  - Legal and Procedural Rules
    - It is the policy of the Sheriff's Office to utilize less lethal shotgun and less lethal rounds only for official law enforcement purposes, and pursuant to the Ventura County Sheriff's Office Policy 300 – Use of Force, Ventura County Sheriff's Office Policy 302 – Control Devices and Techniques, Ventura County Sheriff's Office Policy 306 – Firearms and Qualifications, Ventura County Sheriff's Policy 431 – First Amendment Assemblies, State and Federal law.
  - Training:
    - Sworn members utilizing a less lethal shotgun are trained in their use with formalized instruction, including a California POST certified instruction course and annual range qualifications.
  - Fiscal Impact:
    - Approximately $6,500 annually. The cost includes repair, part replacement and purchase of replacement beanbag rounds.
  - Expected Life Span:
    - Remington 870 Less Lethal Shotgun: Approximately 25 years
    - Defense Technology Super-Sock Round: No listed expiration date
  - Purpose/Authorized Use:
    - These less lethal tools may be used to compel potentially violent suspects to cease dangerous actions and comply with arrest. They may also be

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used to compel specific individuals in a large, violent and riotous crowd to disperse from an outdoor area.

- Description / Quantity / Purchase Cost / Capabilities:
  - **Remington 870 Less Lethal Shotgun**
    - Quantity: 103
    - Approximately $400 per unit
    - The less lethal shotgun is used to deploy the 12-gauge Super-Sock Beanbag Round. The shotgun is an orange color to distinguish it at less lethal firearm.
  - **Defense Technology 12-Gauge Super-Sock Beanbag Round**
    - Quantity: 500
    - Approximately $6 per box of ammunition
    - The Super-Sock beanbag round is a less lethal 12-gauge shotgun round made of a ballistic fiber bag filled with approximately 40 grams of lead shot that travels at a velocity of 270 to 290 feet per second. When deployed, it presents and consistent aerodynamic shape, delivering consistent and predictable performance that makes it a safe and effective round due to its accuracy and consistent transfer of kinetic energy to the target.

- **Simunition:** A firearm/munition designed to be used for training of high risk and force on force incidents.
  - Legal and Procedural Rules
    - Simunition firearms are only utilized for training in accordance with Sheriff's Office Policy 300 – Use of Force and Sheriff's Office Policy 302 – Control Devices and Techniques, State and Federal law..
  - Training:
    - Sworn members utilizing the simunitions are trained in their use with formalized instruction.
  - Fiscal Impact:
    - Approximately $8000 annually; primarily consisting of repair/ part replacement of simunition firearms and the purchase of simunition replacement rounds.
  - Expected Life Span:
    - Simunition firearms and bolt conversion: Approximately 15 years
    - Simunition Training Rounds: 5 years
  - Authorized Use:
    - Law enforcement members attending simunition training are provided with a safety briefing and safety equipment. In addition, assigned safety

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officers are present during each of the scenario exercises. The device and rounds may only be used while under the supervision of an instructor assigned to instruct the course.

- Purpose:
  - The items are used by law enforcement personnel for force on force training.
- Description / Quantity / Purchase Cost / Capabilities:
  - **Sig Sauer 9mm Simunition Handgun**
    - Quantity: 30
    - Approximately $1400 per unit
    - The Simunition handgun allows the FX marking cartridge and SecuriBlank cartridges to be fired safely from a Sig Sauer 9mm handgun. The innovative and high-quality design produces realistic recoil and ensures the proper operation and cycling of the weapon so that it feels and shoots like a real handgun. The design also precludes the inadvertent chambering of live ammunition.
  - **Simunition Conversion Rifle Bolt**
    - Quantity: 55
    - Approximately $285 per unit
    - The Simunition conversion kit allows the FX marking cartridge and SecuriBlank cartridges to be fired safely from the user's own rifle. The innovative and high-quality design produces realistic recoil and ensures the proper operation and cycling of the weapon so that it feels and shoots like a real rifle. The design also precludes the inadvertent chambering of live ammunition.
  - **Simunition Training Rounds**
    - Quantity: Approximately 13,500 rounds
    - Approximately $300 for a box of 500 rounds
    - Simunition rounds are low speed marking projectiles that can be fired from a converted handgun or rifle. These non-lethal and non-toxic cartridges in calibers of 9mm and 5.56mm provide law enforcement with the most realistic training and non-lethal force-on-force training systems.

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Chapter 8 - Support Services

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Crime Analysis

800.1 PURPOSE AND SCOPE

Crime Analysis shall provide timely and useful products to patrol, investigative and management units. Analysis covers, but is not limited to, identifying and analyzing patterns and trends related to crime events, developing methods of operation matrix, locating / linking persons, places and property.

Standard resources range from law enforcement databases containing calls for service, reports, citations, field contacts, investigative notes, to incarceration, court, probation, parole records to open source sites, databases, and publications. Products may range from briefing postings, bulletins, maps, charts, link charts, time-lines to in-depth research papers and statistical documents.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime, incident, arrest, supplemental, traffic collision, missing person reports
- Field interview cards
- Citations
- Investigative reports
- Parole and probation records
- Computer Aided Dispatch (CAD) data
- Court documents
- Incarceration records
- Statewide Integrated Traffic Reporting System (SWITRS)
- Uniform Crime Reports (UCR)
- Open source sites
- State and Federal databases

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors

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- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information
- Relationship between involved parties and event
- Seasonality

800.4 CRIME ANALYSIS DISSEMINATION

Analysis information shall be disseminated to appropriate parties in a timely and logical manner using available resources. Product may be distributed via hard copy, electronic, or html. Use of electronic distribution is emphasized in order to efficiently disseminate information.

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PAYROLL PROCEDURE

801.1 PURPOSE AND SCOPE

To provide a uniform method of reporting payroll information to the Business Office-Payroll

801.1.1 GENERAL INSTRUCTIONS

1. A pay period consists of 2 weeks (Sunday to Saturday). On or about the first Tuesday of each pay period, Department Time Record (timesheets) are distributed to division timekeepers. Timekeepers are required to report hours worked/off by time reporting codes. The 'Total Hours' column on the timesheet should reflect the sum of all hours reported. Overtime hours reported on the timesheets (excluding the built in 12-Plan overtime) must have an original approved 'Sheriff's Office Overtime Report' submitted with the timesheets. Court time and standby time hours reported on the timesheets must have an original approved 'Off-Duty Court Appearance' form or 'Sheriff's Office Standby Report' submitted with the timesheets.
2. Completed timesheets are to be delivered to the Business Office-Payroll no later than 1300 hours of the second Tuesday. All hours reported for the period from the second Tuesday, Wednesday, Thursday, Friday and Saturday are to be entered based on the best information available at the time, for scheduled workday hours. Any changes to reported hours, after the timesheets have been submitted to the Business Office-Payroll, should be faxed to the Business Office-Payroll by 0930 daily. Changes should be reported on a 'Time Record Correction' form or 'Late Overtime Adjustment' form, as applicable. Original copies of the 'Time Record Correction', 'Late Overtime Adjustment' and 'Sheriff's Office Overtime Report' must be submitted to the Business Office-Payroll by the first Tuesday of the pay period.
3. The 'Employee Time Record Correction' form is used to report changes in hours or codes previously submitted. This form must be faxed to the Business Office-Payroll by 0930 hours daily from second Wednesday through the following Monday, and signed by the supervisor or timekeeper.
4. The 'Late Overtime Adjustment' form is used to report changes in reported overtime hours. This form must be faxed to the Business Office-Payroll by 0930 hours daily from second Wednesday through the following Monday, and signed by the supervisor or timekeeper.

801.1.2 ADDITIONAL INFORMATION

1. The Sheriff's Office maintains an overtime database that generates the 'Sheriff's Office Overtime Report', also known as overtime slip. All submitted hard copy overtime slips must have an employee, supervisor and unit commander signature.
2. Division supervisors have the responsibility to determine that the overtime worked was necessary. The supervisor or unit commander reviews the hard copy of the overtime slips for accuracy and verifies that each reflects on the master schedule. Approved overtime slips that are not paid in the current pay period must be marked 'Late' or 'Past Due' and submitted to the Business Office-Payroll by Friday after payday.

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3. An 'Off-Duty Court Appearance' form (court slip) shall be used for reporting off-duty court and must be accompanied by either subpoena or court docket. Approved court slips not paid in the current pay period need to be marked 'Late' or 'Past Due' and submitted to Business Office-Payroll by Friday after payday.
4. The 'Sheriff's Office Standby Report' shall be used for reporting standby duty hours. Approved standby reports not paid in the current pay period need to be marked 'Late' or 'Past Due' and submitted to Sheriff's Business-Payroll by Friday after payday.
5. The 'Annual Leave/Vacation Buydown Request' form shall be used to request annual leave/vacation redemption. This form can be found in the Sheriff's Intranet. The original signed buydown request form is due to the Business Office-Payroll by Friday after payday.
6. Any changes in employee work schedules must be emailed to the Business Office-Payroll no later than 1200 hours of Friday after payday.

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Communication Operations

802.1 PURPOSE AND SCOPE

The radio is the primary communication method between field units and the dispatcher and it will be used to communicate field unit activity, unit status updates, calls for service and related information. All communication will be accurate, brief and courteous, yet thorough.

802.1.1 FCC COMPLIANCE

Radio communication shall be conducted in accordance with FCC procedures and guidelines.

802.2 RADIO CHANNEL USE

Channel 1 will be used as the primary radio channel for all units working in the cities of Camarillo, Fillmore, Ojai and the unincorporated areas of West County.

Channel 2 will be used by all units, county-wide, for wants/warrants inquiries and miscellaneous requests for tow trucks, contacts for miscellaneous entities such as Animal Control, utility companies and non-law enforcement city or county resources.

Channel 3 will be used as the primary radio channel for all units working in the cities of Thousand Oaks, Moorpark and the unincorporated areas of East County.

802.2.1 EMERGENCY RADIO TRAFFIC/RESTRICTED RADIO USE (10-33)

Radio use may be limited when a field unit or the dispatcher has the need to restrict radio traffic to "emergency radio traffic only" by declaring a 10-33. When this occurs, field units should only use the radio to relay pertinent information related to the incident that prompted the restricted radio traffic.

However, the dispatcher or a unit with radio traffic that would be deemed "emergency radio traffic", may use the radio, even if unrelated to the initial incident.

Units with routine radio traffic including status updates, traffic stops, subject stops, etc., should not use the radio until the restriction (10-33) has been lifted.

802.3 UNIT/RADIO CALL SIGNS

Each member using the two-way radio will use their entire and correct call sign when initiating and responding to radio communication. This requirement does not apply to continuing conversation between the mobile unit and dispatcher once the mobile unit has been properly identified.

802.4 LISTENING TO AND ACKNOWLEDGING RADIO TRAFFIC

Dispatchers and field units are required to listen to radio traffic and acknowledge radio traffic that is directed to them and/or related to the incident they are handling. Dispatchers and deputies should make every effort to avoid interfering with radio traffic by listening for other radio users and waiting for them to finish before talking on the radio.

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802.5 TELEPHONE COMMUNICATION IN LIEU OF RADIO

The telephone will not be used in lieu of radio communication unless it is necessary to do so.

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Employee Time Card Verification

803.1 THIS POLICY ESTABLISHES A PROCESS WHEREBY ALL SHERIFF'S OFFICE EMPLOYEES REVIEW THEIR TIME CARDS AND VERIFY THAT THEIR WORK HOURS AND TIME VARIANCES HAVE BEEN ACCURATELY RECORDED.

803.1.1 BACKGROUND

All Sheriff's Office employees who do not enter their own time in VCHRP, are required to login to Ventura County Human Resources/Payroll (VCHRP) to verify and approve their time.

VCHRP, which can be accessed from the link on the Sheriff's Intranet homepage or from the following link:

https://vchrp.co.ventura.ca.us

803.1.2 PROCEDURE

VCHRP Time Card Verification Procedure

Within one week **after** the Friday that paychecks are issued, all Sheriff's employees must log in to VCHRP, review and approve their time.

Step-by-step instructions for verifying time card hours through VCHRP can be found at the following link:

https://sheriffintranet/wp-content/uploads/2023/02/Employee-Time-Card-Verification.pdf

Exceptions are as follows:

- Deputy trainees, who do not have VCHRP access should sign the paper version of their time card for each pay period until their graduation.
- Employees on vacation or extended leaves must review and approve their time cards in VCHRP within one week of their return to work.

Time discrepancies found by the employee can be noted in the "Employee Pay Approval" section of the VC Employee Pay Approval page. This information will then be forwarded to the employee's timekeeper for appropriate action.

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Property and Evidence

804.1 PURPOSE AND SCOPE

This policy provides for the proper collection, transfer, storage, and security of evidence and other property.

804.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping, found property, recovered property, and property submitted for destruction.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm;
- Personal property of an arrestee not taken as evidence;
- Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons)).

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

Recovered Property- stolen or embezzled property (e.g., recovered during an investigation of a burglary).

Property for Destruction- Property submitted by the public to the Department for destruction (e.g., guns no longer desired by the owner).

804.3 GENERAL REQUIREMENTS

All property or evidence shall be transferred to the Property Room as soon as practical. No property submitted to the Department will be retained, even temporarily, for personal use.

Property is transferred to the Property Room:

- by taking it to the counter of either the West or East County Property Room during business hours;
- by placing it in the overnight lockers provided at the West and East County Property Rooms;
- by placing it in the secure evidence lockers provided at each station.

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Evidence must be accompanied by the correct paperwork.

All property submitted to the property rooms must be properly tagged and packaged. Procedures for packaging evidence and completing the necessary paperwork are found in the Property and Evidence Manual on the Sheriff's web site at: https://sheriffintranet/wp-content/uploads/2018/08/PE_manual.pdf. Check this manual from time to time to be sure you are using current procedures. Processing of evidence can be delayed by improper packaging or incomplete documentation.

The chain-of-custody must be documented for all evidence. The chain of custody must show who had control of the evidence (or where it was stored), who received and relinquished the evidence, and at what times. This information can be recorded in the officer's narrative or on the Property/Evidence Report.

If a suspect is taken into custody, his or her personal property that is not evidence is retained by the custodial institution (jail, prison, or mental institution). The exception to this practice is that items that are illegal if taken within the confines of the custodial institution, or items too large (backpacks, suitcases, briefcases) to store at the custodial institution will be accepted by the Property Room for safekeeping. Personal medications will be retained by the custodial institution and will be accepted by the Property Rooms only as evidence or for destruction.

The property rooms are responsible for storing, protecting, transferring, and disposing of all evidence. The West County Property Room also acts as the point of intake for evidence intended for examination by the crime laboratory, including evidence from outside agencies.

The Property Room will dispose of property or evidence upon receipt of (a) an Evidence Disposition Memo from the DA's Office, (b) a court order, or (c) written instructions from the investigative office. The exception is that evidence from misdemeanor cases may be disposed of when the court database shows that the case has been cleared, or that the statute of limitations has elapsed and there are no outstanding warrants. Because evidence disposal requirements are complicated, the Property Room must be notified whenever evidence needs to be retained longer than is mandated by law.

The property rooms will make all reasonable efforts to locate the rightful owner of found property or evidence not needed for investigation. Inquiries from citizens should be directed to the West County (805-654-2363) or East County (494-8264) Property Room. Found property is retained for a minimum of 90 days or until returned to the rightful owner, whichever occurs first. The Property Room will not accept found property having a value less than $100.

Where the ownership of found property having no apparent evidentiary value can be established, such property may be released to the owner without the need for booking. A field interview card shall be completed to document the release of property not booked.

Found evidence may qualify for return to the rightful owner before the case is adjudicated. It is the responsibility of the investigator to see that all legal requirements are met before such return, and to notify the Property Room in writing when recovered property may be released. Such notification must identify the recipient and the specific items to be released.

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804.4 SPECIAL CONSIDERATIONS

Explosives, explosive devices, or class-C fireworks shall be handled exclusively by the Bomb Squad. The Property Room does not accept such items.

Money, firearms, drugs, flammables, ammunition, fireworks, and jewelry will be packaged separately from all other property or evidence.

No firearms taken into possession shall be submitted loaded unless paramount to the case and then only if plainly marked as loaded (e.g., to support a claim of malfunction in an accidental shooting).

Per agreement with the Medical Examiner's Office, the Department, when involved, will retain control of all firearms involved in a death and will release them directly to the family of the deceased or provide for appropriate destruction, as necessary.

All money over $500 shall be verified via an independent count by another person and his name and I.D.# written on the envelope. Discrepancies in counts must be rectified prior to the envelope being sealed.

License plates found not to be stolen or connected to a known crime can be booked into the Property Room, or delivered to the Department of Motor Vehicles (DMV). No formal booking process is required if they are returned directly to the DMV.

Refer to the Crime Laboratory's Evidence and Property Manual at https ://sheriffintranet/wp-content/uploads/2018/08/PE_manual.pdf for complete instructions.

804.5 RETENTION OF BIOLOGICAL EVIDENCE

The Property Room Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant

(b) The defendant's attorney

(c) The appropriate prosecutor and Attorney General

(d) Any sexual assault victim

(e) The Special Services Division Commander

Biological evidence shall be retained for a minimum period established by law (Penal Code § 1417.9), the Property Room Supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Special Services Division supervisor.

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Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Sheriff and the head of the applicable prosecutor's office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Investigation Bureau supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

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Records Bureau

805.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Ventura County Sheriff's Office Records Bureau. This is to include but not limited to, Criminal Records, Central Inmate Records, and Special Services. The policy addresses department file access and internal requests for case reports.

805.2 POLICY

It is the policy of the Ventura County Sheriff's Office to maintain department records securely, professionally, and efficiently.

805.3 RESPONSIBILITIES

805.3.1 RECORDS MANAGER

The Sheriff shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Administration Division Commander or the authorized designee.

The responsibilities of the Records Manager include but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Bureau.

(b) Scheduling and maintaining Records Bureau time records.

(c) Supervising, training, and evaluating Records Bureau staff.

(d) Maintaining and updating a Records Bureau procedure manual.

(e) Ensuring compliance with established policies and procedures.

(f) Supervising the access, use, and release of protected information (see the Protected Information Policy).

(g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:

1. Homicides.
2. Cases involving department members or public officials.
3. Any case where restricted access is prudent.

805.3.2 RECORDS BUREAU

The responsibilities of the Records Bureau include but are not limited to:

(a) Maintaining a records management system for case reports.

1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.

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(b) Entering case report information into the records management system.

1. Modification of case reports shall only be made when authorized by a supervisor.

(c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.

(d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:

1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
2. Suspected hate crimes (Penal Code § 13023).
3. Complaints of racial bias against deputies (Penal Code § 13012; Penal Code § 13020).
4. Civilian complaints made against deputies (Penal Code § 832.5; Penal Code § 13012).
5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
    (a) The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).
6. Anti-reproductive rights crime information required by Penal Code § 13777.

(e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.

(f) Identifying missing case reports and notifying the responsible member's supervisor.

(g) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection), as applicable, for the following types of occurrences:

1. Deputy suicides
2. Deputy misconduct
3. Uses of force
4. Deputy deaths or assaults
5. Crime incidents
6. Deaths in custody

(h) Updating the Automated Firearms System to reflect any firearms relinquished to the Department and the subsequent disposition to the California DOJ pursuant to Penal Code § 34010 (Penal Code § 29810).

(i) Entering into the Automated Firearms System information about each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, surrendered in relation to a private party firearms transaction or registration, relinquished pursuant

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to a court order, or under observation, within seven calendar days of the precipitating event (Penal Code § 11108.2).

(j) Entering into the California DOJ automated property system descriptions of serialized property, or non-serialized property that has been uniquely inscribed, which has been reported stolen, lost, found, recovered, held for safekeeping, or under observation (Penal Code § 11108).

(k) Maintaining compliance with quarterly California DOJ reporting requirements regarding the department's efforts to verify an individual listed in the Armed and Prohibited Persons System (APPS) is no longer in possession of a firearm (Penal Code § 29813).

(l) Maintaining compliance with the state and California DOJ reporting requirements regarding the number of transfers of individuals to immigration authorities and offenses that allowed for the transfers (Government Code § 7284.6(c)(2)).

(m) Transmitting data to the Joint Regional Information Exchange System on any suspected multi-mission extremist crimes.

805.3.3 RECORDS BUREAU PROCEDURE MANUAL
The Records Manager should establish procedures that address:

(a) Identifying by name persons in reports.

(b) Classifying reports by type of incident or crime.

(c) Tracking reports through the approval process.

(d) Managing a warrant and wanted persons file.

805.4 FILE ACCESS AND SECURITY

The security of files in the Records Bureau must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a sheriff's department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Bureau, accessible only by authorized members of the Records Bureau.

The Records Bureau will also maintain a secure file for case reports deemed by the Sheriff as sensitive or otherwise requiring extraordinary access restrictions. This is a function specific to Special Services.

805.5 CONFIDENTIALITY

Records Bureau staff has access to information that may be confidential or sensitive in nature. Records Bureau staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Bureau procedure manual.

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805.6 DETERMINATION OF FACTUAL INNOCENCE

In any case where a person has been arrested by deputies of the Ventura County Sheriff's Office and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Records Supervisor. The Records Supervisor should promptly contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). Factual innocence means the accused person did not commit the crime.

Upon receipt of a written opinion from the prosecuting attorney affirming factual innocence, the Records Supervisor should forward the petition to the Detective Bureau Supervisor for review. After such review the Detective Bureau Supervisor and the Records Supervisor shall decide whether a finding of factual innocence is appropriate.

Upon determination that a finding of factual innocence is appropriate, the Records Supervisor shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California DOJ and other law enforcement agencies (Penal Code § 851.8).

The Records Supervisor should respond to a petition with the Department's decision within 45 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

805.7 ARREST WITHOUT FILING OF ACCUSATORY PLEADING

The Records Manager shall ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

(a) The individual is issued a certificate describing the action as a detention.

(b) All references to the arrest are recorded as a detention on the arrest record of the Department.

(c) The California DOJ CII/RAP is updated with the arrest disposition reflecting the detention.

Upon notification that no accusatory pleading was filed, the Records Manager shall insure a detention certificate is complete, databases are updated, and the certificate is sent to the arrestee. This process shall be completed at least every 30 days.

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RECORDS RETENTION SCHEDULE

806.1 PURPOSE AND SCOPE

To establish guidelines and policy for the retention of and subsequent destruction of Sheriff's Office records. This guideline permits, and in some cases mandates, bureaus to destroy records after the elapsed time period.

REFER TO THE SPECIFIC DOCUMENT RETENTION TABLE BELOW TO ASCERTAIN THE RETENTION SCHEDULE FOR EACH DOCUMENT TYPE:

806.1.1 INTRODUCTION

The Sheriff's Office is required by California State law to collect and process certain records. The different Bureaus of the Sheriff's Office have different types of records they are responsible for maintaining. Certain values were taken into consideration when determining this retention schedule for Sheriff's Office records, which are not regulated by State Codes or other regulations. These values are: Administrative Value; Legal Value; Fiscal Value; and Research, Historical, or Archival Value.

For the purposes of this policy, records are defined as "papers, maps, exhibits, magnetic or paper tapes, microfilm, photographic film and prints, electronic recordings, computer files, and other documents produced, received, owned or used by this agency, regardless of physical characteristics." Certain kinds of material can be classified as "non-records" and can usually be discarded as soon as they are read. According to the State Records Retention Handbook, these non-records include:

- Transmittal letters and acknowledgments that do not add any information to the material transmitted.
- Requests for printed material after the requests have been filled (i.e., Public Records Act requests).
- Informal notes, worksheets, and rough drafts of letters, memoranda, or reports that do not represent basic steps in the preparation of documents.
- Notes which have been transcribed.
- Miscellaneous notices of meetings and community affairs.

In addition, certain records become less valuable as an information resource with the passage of time. Their continued retention inhibits our agency's ability to reference more current and valuable information sources. With this in mind, the Board of Supervisors has approved, per sections 26205, 26205.1, 26202.6 & 34090.6 of the California Government Code and 832.5 of the California Penal Code, a retention schedule of Sheriff's Office records.

806.1.2 DESTRUCTION PROCEDURE

1. Due to limited storage space available for Sheriff's Office records, it is necessary that records be routinely destroyed after the authorized time has elapsed.

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2. Prior to destruction, each Bureau Captain/Manager will advise the Division Commander via memorandum of the pending destruction and receive approval to proceed with the destruction.

3. The most common form of destruction for hard copy documents is by shredding. The documents can either be shredded in Sheriff's Office owned shredders, or in the case of large destruction jobs, a bonded contracted service may be used. In all cases, shredding should reduce the documents to no larger than 3/16" cross-cut shred, which are unrecognizable. Under no circumstances are documents that are to be destroyed be placed into paper recycle boxes without being shredded first.

4. Electronic records will be demagnetized, erased, reformatted, or reused, whichever method applies. In the case of files on a document imaging system, the index pointer shall be deleted.

806.1.3 SPECIFIC DOCUMENT RETENTION TABLE

Record Title	Retention Period	Authority	Description of Record
Booking Index (BI) Records, Local Criminal History	T + 2 years	Government Code 26205 County of Ventura 2018 Administrative Manual 11-15 & 11-17	Physical records are converted to digital records. Digital or physical records may be destroyed after the person is deceased + 2 years.
Bicycle Licenses	2 years	GC 26202	Documents utilized for issuance may be destroyed 2 years after expiration.
Board Letters	3 years	GC 26202, Ventura County Administrative Manual: Records Retention Schedule	Original at Clerk of the Board.
Business Office Documents: Bail Fine Receipts & Checks	7 years	GC 26205.1	Self-explanatory.
Business Office Documents: Claim forms and checks	7 years	GC 26205.1	General Claims, Textbook & Tuition, Travel Expenses, Credit Card, Medical Bills, Inmate Account Paid Checks, Check Registers, IMS Transaction Logs, etc.
Business Office Documents: Commissary/Inmate Welfare Paid Bills	7 years	GC 26205.1	Self-explanatory

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RECORDS RETENTION SCHEDULE

Business Office Documents: Misc. Documents	9 years	GC 26205.1	ISF Charges (ISD, GSA Fees), Mileage Reports, Purchase Orders, Requisitions.
Business Office Documents: Payroll Overtime Slips	5 years	GC 26205.1	Self-explanatory
Business Office Documents: Payroll Time cards, Warrant Register	7 years	GC 26907	Self-explanatory
Business Office Documents: Rate Calculations, Budget Documents	Indefinite	GC 26205.1	Self-explanatory
Business Office Documents: Receipts	8 years	GC 26205.1	Receipt Books, Cell Phone Receipts, Accounts Receivable-Billed Invoices, Misc. Receipts.
Citations, Parking/Traffic	1 year	GC 26201	The originals are sent to the Court.
Citations: 11357(b) H&S, 11357c H7S, 11360b H&S Violations	2 years	11361.5 H&S	As mandated by law, reports are to be destroyed 2 years after the conviction or 2 years after the date of arrest if no conviction is obtained.
Citizen Complaints/ Internal Investigation Files	6 years	PC 832.5, Board Letter	These files shall be retained for the listed time period, after which, they may be destroyed if there is no pending civil or criminal litigation. The names on all files to be destroyed shall be forwarded to the District Attorney's Office and Risk Management notifying them of the pending destruction and request any objection they may have to any particular file. No destruction shall take place until a reply is obtained from both agencies.

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RECORDS RETENTION SCHEDULE

Computer Aided Dispatch Electronic Data (CAD)	1 year	GC 26205	CAD data includes calls for service and patrol unit history. Although this data can be deleted from CAD after the above time period, the data for calls for service is electronically stored into the Records Management System and is kept indefinitely.
Contracts	3 years	Ventura County Administrative Manual: Records Retention Schedule	3 years after expiration date. Original at Clerk of the Board.
Correspondence, General	3 years	GC 26202, Ventura County Administrative Manual: Records Retention Schedule	Correspondence received or sent that relates to a specific public record should be retained for the same period of time that the public record is retained. All other correspondence may be destroyed after the listed time period unless there is pending criminal and/or civil litigation. Informational correspondence from the Department of Justice, FBI, DMV, etc., should be maintained as long as the information provided is most current. These documents should be replaced by the most current correspondence on the same subject matter.
Criminal Intelligence Files	5 years	Recommended by Attorney General	Files kept on actual or suspected criminal activity.
Department Manual	Indefinite	GC 26202	Changes to the Sheriff's Policy Manual occur frequently. Replaced Orders should be kept on file for historical reference.

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Division Timekeeping Records	7 years	GC 26205.1 Ventura County Administrative Manual: Records Retention Schedule	Time off requests, daily schedules, any and all original records pertaining to employee time not submitted to the Business Office-Payroll.
Forensic Case Records Homicide, Sexual Assault, other felony cases, and misdemeanor cases.	Indefinite - electronic and/or hardcopy records.	Forensic Services Bureau: FSB-012 Control of Records	Case Records including the laboratory reports, case notes, and photographs will be scanned and disposed of.
Field Interview Cards	C + 5 years	GC 26202	Information from these cards is stored in the Records Management System indefinitely and the actual cards shall be retained for the current year of cards plus five years.
Human Resources Files	Indefinite	Ventura County Administrative Manual: Records Retention Schedule	Employee Relations Cases, Negotiation Files, Historical Class Specifications, Terminated (Fired) Employee Files.
Human Resources Files: Classification Studies	1986-Present	Ventura County Administrative Manual: Records Retention Schedule	Self-explanatory
Human Resources: Employment Records	3 years	Ventura County Administrative Manual: Records Retention Schedule	Examinations, Certification/Exam Requests, Eligibility Lists/Applications

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RECORDS RETENTION SCHEDULE

Human Resources: Personnel, Training, Background, & Psychological files	T + 6 years	GC 26202, 1985 Board Letter	These files will be retained as long as the employee is still employed by the Sheriff's Office. Once employment is terminated, the file may be destroyed after the time has elapsed. The names on all files to be destroyed shall be forwarded to the District Attorney's Office and Risk Management notifying them of the destruction and request any objection they may have to any particular file. If no response is received from either agency after ninety (90) days, these files may be destroyed.
Informant Files	T + 10 years	GC 26202	Legal notification, identification information, payment information, activities information. Files should be kept 10 years after the informant's services were terminated.
Jail: Inmate Records	6 years	Dependent on facility's classification; Guidelines are set by the Board of Corrections (State of Calif.)	Records include bookings/releases, Jail Incident Reports, grievances, and any other documentation from an inmate's detention file. Original documents may be destroyed after electronically recorded in a County approved document imaging system and verified for quality control.

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RECORDS RETENTION SCHEDULE

Jail: Inmate Medical Records	7 years	Dependent on facility's classification; Guidelines are set by the Board of Corrections (State of Calif.)	These records are the property of the Sheriff's Office, but are kept by the medical company contracted to provide medical treatment to the inmates. The medical company shall have the responsibility of maintaining the inmates' medical records. Exception: Medical files on inmates that were pregnant while in custody shall be kept until the child's 21st birthday. The responsibility of destroying any files is the Sheriff's Office.
Licenses, Business	2 years	GC 26202	Documents utilized for the approval process may be destroyed 2 years after expiration.
Logs, Patrol	2 years	GC 26202	Deputy patrol logs will be maintained by the respective division.
Narcotic Files	5 years	GC 26202	Files of suspected drug violations or cases with no issued RB # should be retained for the listed time period if the information is no longer useful for investigative purposes.
Pawn/Secondhand Property Slips	2 years	PC 26201	There is no legal mandate to retain copies of pawn slips once the information is entered in the State Automated Property System, however, the slips shall be retained for the listed time period.

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RECORDS RETENTION SCHEDULE

Permits, Carrying Concealed Weapons (CCW)	2 years	GC 26202	Both rejected and approved CCW permits may be destroyed, according to the time period designated after the expiration or rejection date, whichever date applies to the permit.
Photographs	See Narrative	GC 26202	Crime Scene, Registrant/ Applicant, Photo File, Accident. Retain according to the applicable section associated with the photo (i.e.: Homicide-indefinite: Applicant-6 years, etc.)
Photographs: Booking Photos (Negatives)	1 year (Indefinitely)	GC 26202	Booking photos that are taken electronically and are stored on computer disk space can be retained indefinitely. Photographs from a standard film camera may be destroyed after one year since the negatives are kept indefinitely.
Press Releases	2 years	GC 26202	Self-explanatory
Radar Calibration Records	T + 2 years	GC 26202	Documentation of radar instruments should be retained during use/ ownership of the unit.
Radio and Telephone Communications	1 year	GC 26205	Recordings of telephone and radio communications that are not evidence in any claim filed or any pending litigation may be destroyed after the time period. If any claims and/or litigation are pending or anticipated, such recordings shall be preserved for one hundred (100) days after the conclusion of litigation.

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RECORDS RETENTION SCHEDULE

Range Rosters	2 years	GC 26202	Rosters of the bi-monthly range qualifications.
Reports, Arrest Conviction Records H&S 11357(b),(c),(d),(e) or H&S 11360(b) Violations (occurring after January 1, 1976)	2 years (Mandatory destruction from date of conviction or date of arrest with no conviction)	H&S 11361.5	Applicable to convictions occurring after January 1, 1976 or arrests not followed by a conviction occurring after January 1, 1976; Exception: H&S 11357(e), the record shall be retained until a juvenile offender attains the age of 18 years, then destroyed pursuant to 11361.5.
Reports, Arrest Conviction Records H&S 11357(b),(c),(d),(e) or H&S 11360(b) Violations (occurring before January 1, 1976)	Mandatory destruction (Upon notice from DOJ)	H&S 11361.5(c)	Applicable to convictions occurring prior to January 1, 1976 or arrests not followed by a conviction occurring prior to January 1, 1976 for violations of H&S Code 11357, 11364, 11365 and 11550.
Reports: Arrest, Crime/ Incident, Traffic	Indefinite	GC 26205a County of Ventura 2018 Administrative Manual 11-15 & 11-17	Reports prior to 1991 are kept on microfilm. Reports starting in 1991 are electronically recorded in a County approved document imaging system. Original reports may be destroyed after electronically recorded in a County approved document imaging system and verified for quality control.

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RECORDS RETENTION SCHEDULE

Reports: Crime Analysis	2 years	GC 26201	Internally generated information using activity logs, citizen calls, current and past crime statistic reports, citations, crime reports and accident reports. No statutory requirement; reports created for variety of purposes including increases/decreases in criminal activity; officer workload, deployment, time usage. Final reports produced from the information listed may be used for comparison for years and should be retained.
Reports: Homicide Cases	Indefinite	GC 26202	The original Crime Reports will be retained by the Major Crimes Unit even after the case is adjudicated or deemed unsolved.

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RECORDS RETENTION SCHEDULE

Reports: Property Room	Dependent upon event type and court orders	GC 26205County of Ventura 2018 Administrative Manual 11-15 & 11-17	The following reports; Chain of Custody, Property/Evidence Report, Search Warrant Property List, Evidence Disposal Memorandum, Property Release Form, Request for Analysis, Property Release Notification, legal documents and notarized letters pertinent to items of evidence, and all Court Orders related to property, can be received by or generated by Property staff in digital or paper form. If digital, the listed forms are maintained in a County approved document imaging system. All paper versions of the above forms are scanned into a County approved document imaging system. The originals are then destroyed after a quality control verification process has been completed.
Reports: Statistical (UCR), All Reports Sent to DOJ & FBI	2 years	GC 26201	No statutory requirement to retain permanently; originals sent to DOJ and FBI

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RECORDS RETENTION SCHEDULE

Protection Orders – Emergency Protection Order (EPO)	Refer to Report Retention Period	Government Code 26205 County of Ventura 2018 Administrative Manual 11-15 & 11-17	Emergency Protection Orders (EPO) are scanned Courts California Courts Protective Order Registry (CCPOR) online system and entry verified. The EPO is considered a report attachment which is scanned into the Records archival system.Original is destroyed after electronically recorded in a County approved document imaging system and verified for quality control.
Sealing, Adult - Found Factually Innocent	3 years	PC 851.8	The sealed record shall be destroyed after the listed time period has elapsed beyond the sealing date or date of arrest, whichever is earliest.
Sealing, Juvenile	5 years (38th Birthday exception)	WI 781(d)	If the record is sealed pursuant to Welfare & Institutions Code section 781 and the juvenile was determined to be a person described by section 601 W&I, the record shall be destroyed after the listed time period has elapsed beyond the sealing date. If the juvenile was determined to be a person described in section 602 W&I, then the record shall be destroyed after the juvenile's 38th birthday.

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RECORDS RETENTION SCHEDULE

Sex Registration Records	Whichever occurs first T+2 years or 75 years post-conviction	Government Code 26205 County of Ventura 2018 Administrative Manual 11-15 & 11-17	Original reports may be destroyed after electronically recorded in a County approved document imaging system and verified for quality control.CA-DOJ CSAR recommends record retention until subject is deceased or 75 years post-conviction.
Subpoena Duces Tecum	2 years	Government Code 26205 County of Ventura 2018 Administrative Manual 11-15 & 11-17	The SDT and responsive records are scanned into a Sheriff's system. The Sheriff's system automatically purges the file after 2 years.
Training Bulletins	Indefinite	GC 26202	Training Bulletins disseminated by the Sheriff's Office shall be retained at the Academy indefinitely for litigation reasons.
Training Records, Academy Cadet	Indefinite/ 6 years	GC 26202	The following documents should be retained indefinitely: Final Cadet Rating Sheet, Staff Evaluations, any disciplinary documentation, POST Academic Tracking Sheet, & any other document deemed to be of importance. These documents should be destroyed after 6 years: Peer Reviews, Memorandums, Test scan sheets, and any other documents that are deemed to have no useful value.
Training Records, In-service, Academy	T + 6 years	GC 26202	Files containing deputies' internal and external training shall be retained for 6 years after the employee has terminated/retired.

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RECORDS RETENTION SCHEDULE

Weapons Database	Indefinite	GC 26202	Inventory of Departmentally owned weapons shall be retained indefinitely.

C = Current Year

GC = Government Code

H&S = Health & Safety Code

PC = Penal Code

T = Terminated

W&I = Welfare and Institutions Code

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Restoration of Firearm Serial Numbers

807.1 PURPOSE AND SCOPE

The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

807.2 PROCEDURE

Any firearm coming into the possession of the Ventura County Sheriff's Office as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

807.2.1 PRELIMINARY FIREARM EXAMINATION

(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.

(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.

(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.

(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

807.2.2 PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

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807.2.3 DEPUTY RESPONSIBILITY

The Property Room personnel receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.

807.2.4 DOCUMENTATION

Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

807.2.5 FIREARM TRACE

After the serial number has been restored (or partially restored) by the criminalistics laboratory, the Evidence Technician will complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in Falling Waters, West Virginia or enter the data into the ATF eTrace system.

807.3 BULLET AND CASING IDENTIFICATION

Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.

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Destroyed Firearms

808.1 PURPOSE AND SCOPE

This policy establishes protocol for members handling requests from the public reference destroyed firearms.

808.2 PROCEDURE

Any request or call for service from the public reference destroyed firearms will be handled in the following manner:

1. Determine if the firearm(s) have been damaged (beyond the ability to be repaired) or destroyed, then conduct a safety inspection. If the firearm(s) still have components that could be used to make a firearm or MAY contain rounds, always keep the muzzle pointed in a safe direction.
2. Confirm the owner has registered the firearm(s) with DOJ, if it is not, the owner does not report the destroyed firearm to Cal DOJ. To ensure this, clear all firearm(s) through Sheriff's Records.
3. Provide the owner with the "California Department of Justice/Bureau of Firearms ***"Notice of No Longer in Possession"*** form (BOF 4546) or refer them to the California DOJ/Bureau of Firearms website: *https://oag.ca.gov/firearms* . The form can be located on the Sheriff's Intranet in the Document Library or at: https://sheriffintranet/wp-content/uploads/2018/08/DOJ_BOF-4546_Notice_of_No_Longer_in_Possession.pdf. The registered owner is to complete the form and mail it to the listed address. The owner will need to provide an explanation to Cal DOJ reference the circumstances of the destruction of the firearm(s) on an attached sheet. The ***Notice of No Longer in Possession*** form provides detailed instructions for the registered owner.
4. If the registered owner requests we destroy the firearm(s) for them, the deputy will take the firearm(s) and book them for destruction.
5. The deputy will take a General Offense/Property Report or Incident Report reference the circumstances (i.e. destroyed in fire) of the destroyed firearm(s) and provide the registered owner with the RB#. A report will be completed regardless of whether the firearm(s) are booked for destruction or the registered owner disposes of the firearm(s) themselves. If the firearm is loaded, encourage the owner to relinquish it for safe disposal; however the owner cannot be forced to give up the firearm.
6. Refer to the Forensic Services Bureau/Property Evidence Manual for the proper booking process.
7. It is the registered owner's responsibility to report the loss of the firearm(s) to their respective insurance companies. The insurance companies do not report the loss to Cal DOJ.

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Protected Information

809.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Ventura County Sheriff's Office. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

809.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Ventura County Sheriff's Office and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

809.2 POLICY

Members of the Ventura County Sheriff's Office will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

809.3 RESPONSIBILITIES

The Sheriff shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicles (DMV) records, and California Law Enforcement Telecommunications System (CLETS).

(b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy. See the Ventura County Sheriff's Office CJIS Access, Maintenance, and Security Policy for additional guidance.

(c) Developing, disseminating, and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release, and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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809.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Ventura County Sheriff's Office policy, or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

809.4.1 RELEASE OF CRIMINAL OFFENDER RECORD INFORMATION (CORI)

CORI is further defined as any/all arrest or citations regardless of the issuing agency. Only the persons listed below are authorized to release CORI. Each authorized person releasing CORI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

(a) Records Bureau manager

(b) Regular employees of the Records Bureau

809.4.2 RELEASE OF CORI TO FIELD PERSONNEL

Personnel shall not have access to CORI until a background investigation and DOJ LiveScan clearance has been completed and approved.

CORI shall not generally be transmitted by radio, cellular phone, or through unauthorized, unsecured, and unencrypted computer terminals to field personnel or vehicles except in cases where circumstances reasonably indicate that the immediate safety of the deputy or the public are at significant risk. Examples of situations where the transmission of summary criminal history information would be justified include a hostage situation or an armed suspect however a routine investigation or traffic enforcement stop would not be sufficient justification.

Nothing in this procedure is intended to prohibit broadcasting warrant information concerning wanted persons.

809.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other

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law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Bureau to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

809.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

809.5.2 TRANSMISSION GUIDELINES

Protected information, such as restricted Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should not be transmitted via unencrypted radio. When circumstances reasonably indicate that the immediate safety of deputies, other department members, or the public is at risk, only summary information may be transmitted.

In cases where the transmission of protected information, such as Personally Identifiable Information, is necessary to accomplish a legitimate law enforcement purpose, and utilization of an encrypted radio channel is infeasible, a MDT or department-issued cellular telephone should be utilized when practicable. If neither are available, unencrypted radio transmissions shall be subject to the following:

- Elements of protected information should be broken up into multiple transmissions, to minimally separate an individual’s combined last name and any identifying number associated with the individual, from either first name or first initial.
- Additional information regarding the individual, including date of birth, home address, or physical descriptors, should be relayed in separate transmissions.

Nothing in this policy is intended to prohibit broadcasting warrant information.

809.6 SECURITY OF PROTECTED INFORMATION

The Sheriff will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include but are not limited to (see the CJIS Access, Maintenance, and Security Policy for additional guidance):

(a) Developing and maintaining security practices, procedures, and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.

(d) Tracking, documenting, and reporting all breach of security incidents to the Sheriff and appropriate authorities.

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809.6.1 MEMBER RESPONSIBILITIES
Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

809.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

809.7.1 COMPUTER TERMINAL SECURITY
Computer terminal equipment capable of providing access to automated criminal offender record information is located in designated department work areas, laptops and vehicles.

No employee shall be authorized to operate computer terminal equipment with access to protected information until the operator has completed the appropriate training.

809.7.2 DESTRUCTION OF PROTECTED INFORMATION
When any document providing protected information has served the purpose for which it was obtained, it shall be destroyed by shredding.

Each employee shall be responsible for destroying the CORI documents they receive.

809.7.3 CUSTODIAN OF CRIMINAL RECORDS
The Support Services Assistant Sheriff or his designee will ensure that he/she makes the appropriate applications and notifications to the California Department of Justice regarding the Department's Custodian of Criminal Record appointments, per the requirements of Penal Code § 11102.2.

This subsection is not intended to interfere with any other employee acting as a custodian of records for other statutory purposes but is narrowly tailored to address issues of criminal history records.

The Records Bureau manager, unless otherwise directed by the Support Services Assistant Sheriff, shall be the Department's official Custodian of Criminal Records. The Custodian of Criminal Records shall be responsible for the security, storage, dissemination and destruction of criminal records, and will serve as a primary contact for the California Department of Justice for any related issues. The Support Services Assistant Sheriff may appoint other department employees

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to the role of Custodian of Criminal Records, who will share the same responsibilities regarding specific criminal records.

809.8 PENALTIES FOR MISUSE OF RECORDS

Penal Code §§ 11140 and 11144 make it a misdemeanor to furnish, buy, receive, or possess Department of Justice rap sheets without authorization by a court, statute, or case law.

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

It is a misdemeanor to furnish, buy, receive or possess local criminal history information without authorization by law (Penal Code § 13303).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

Title 11, California Administrative Code § 702 provides that authorized persons or agencies violating the Regulations Regarding the Security of Criminal Offender Record Information in California may lose direct access to CORI maintained by the California Department of Justice.

Driver's Privacy Protection Act is any person who knowingly obtains, discloses, or uses personal information from a motor vehicle records for purposes not under the Driver's Protection Act shall be liable to the individual to whom the information pertains, who may bring a civil action in a United States district court (Title 18 of the United States Code, Section 2721-2725).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of the Discipline Policy (Chapter 3).

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of the Discipline Policy (Chapter 3)..

809.9 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).

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Records Maintenance and Release

810.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

810.2 POLICY

The Ventura County Sheriff's Office is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 7920.000 et seq.).

810.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Sheriff shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.

(b) Maintaining and updating the department records retention schedule including:

1. Identifying the minimum length of time the Department must keep records.
2. Identifying the department division responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 7922.525; Government Code § 7922.530).

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 7922.530).

(g) Determining how the department's website may be used to post public records in accordance with Government Code § 7922.545.

(h) Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.

(i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 7922.680 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

(j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 7922.700) is publicly available upon request and posted in a prominent location on the Department's website (Government Code § 7922.710; Government Code § 7922.720).

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810.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any office member who receives a request for any record shall immediately route the request to the Custodian of Records via email to vcso.publicrecordsrequests@ventura.org and the original request shall be immediately brown mailed to L#3310, Records. The Sheriff's Office has ten calendar days to respond (GC 6250).

810.4.1 REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 7922.530).

The processing of requests for any record is subject to the following (Government Code § 7922.530; Government Code § 7922.535):

(a) The Department is not required to create records that do not exist.

(b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver's license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 7923.655).

(c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 7922.600).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

(d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 7922.570; Government Code § 7922.580).

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(e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure. The written response shall also include the names, titles, or positions of each person responsible for the denial (Government Code § 7922.000; Government Code § 7922.540).

810.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Social Security numbers (Government Code § 7922.200).

(c) Personnel records, medical records, and similar records that would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 7927.700; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).

1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.

2. The identity of any deputy subject to any criminal or administrative investigation shall not be released without the consent of the involved deputy, prior approval of the Sheriff, or as required by law.

(d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking (Penal Code § 293)). Addresses and telephone numbers of a victim or a witness shall not be disclosed to any arrested person or to any person who may be a defendant in a criminal action unless it is required by law (Government Code § 7923.615; Penal Code § 841.5).

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1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, elder and dependent adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, a copy of any accompanying or related photographs of the victim's injuries, property damage, or any other photographs that are noted in the incident report, and a copy of 9-1-1 recordings, if any, pursuant to the requirements and time frames of Family Code § 6228.
2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

(e) Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 7923.750.

(f) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating deputies (Evidence Code § 1041; Government Code § 7923.605).

1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 7923.605.

(g) Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the [District/CountyAttorney], the County Counsel, or the courts pursuant to Penal Code § 1054.5.

(h) Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).

(i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure § 130).

(j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 7923.800).

(k) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department

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of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

(l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 7927.200).

(m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 7927.205).

(n) Records relating to the security of the department's electronic technology systems (Government Code § 7929.210).

(o) A record of a complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(9)).

(p) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 7927.705).

(q) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 827.95; Welfare and Institutions Code § 831).

810.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, County Counsel or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to County Counsel for the Department so that a timely response can be prepared.

810.7 RELEASED RECORDS TO BE MARKED

The first page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

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810.8 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Manager shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

810.8.1 SEALING JUVENILE RECORDS

Upon receiving notice from a probation department to seal a citation, juvenile arrest records, or other related records pursuant to Welfare and Institutions Code § 786.5, the Records Manager should ensure that the records are sealed within 60 days of that notice and that the probation department is notified once the records have been sealed (Welfare and Institutions Code § 786.5).

Upon receiving a list of juvenile arrest records that are eligible to be sealed from the California Department of Justice (DOJ), the Records Manager or the authorized designee shall review the records identified in the list and determine if the records are eligible to be sealed in accordance with Welfare and Institutions Code § 781.2. Within six months of receiving the list, the Records Manager or the authorized designee shall electronically report to the DOJ which records were sealed (Welfare and Institutions Code § 781.2).

810.9 SECURITY BREACHES

The Records Manager shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual's first name or first initial and last name in combination with any one or more of the following (Civil Code § 1798.29):

(a) Social Security number

1. Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique

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identification number issued on a government document commonly used to verify the identity of a specific individual

2. Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
3. Medical information
4. Health insurance information
5. Information or data collected by Automated License Plate Reader (ALPR) technology
6. Unique biometric data
7. Genetic data

(b) A username or email address, in combination with a password or security question and answer that permits access to an online account

810.9.1 FORM OF NOTICE

(a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:

1. The date of the notice.
2. Name and contact information for the Ventura County Sheriff's Office.
3. A list of the types of personal information that were or are reasonably believed to have been acquired.
4. The estimated date or date range within which the security breach occurred.
5. Whether the notification was delayed as a result of a law enforcement investigation.
6. A general description of the security breach.
7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.

(b) The notice may also include information about what the Ventura County Sheriff's Office has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).

(c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):

1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online

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account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.

2. When the breach involves an email address that was furnished by the Ventura County Sheriff's Office, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

810.9.2 MANNER OF NOTICE

(a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

1. Written notice.
2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.
3. Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:
   (a) Email notice when the Department has an email address for the subject person.
   (b) Conspicuous posting of the notice on the department’s webpage for a minimum of 30 days.
4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.

(b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

810.10 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 7923.625).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by a deputy, or depicts an incident in which the use of force by a deputy against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 7923.625).

The Custodian of Records should work as appropriate with the Sheriff or the Professional Standards Bureau supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

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810.10.1 DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed as follows if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source:

(a) Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident.

(b) Delay of disclosure may continue after the initial 45 days and up to one year if the Department demonstrates that disclosure would substantially interfere with the investigation.

(c) Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 7923.625).

810.10.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 7923.625):

(a) During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.

(b) When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Sheriff in reassessing the decision to continue withholding a recording and notify the requester every 30 days.

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

810.10.3 REDACTION

If the Custodian of Records, in consultation with the Sheriff or the authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 7923.625).

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 7923.625).

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810.10.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE

If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 7923.625):

(a) The person in the recording whose privacy is to be protected, or the person's authorized representative.

(b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.

(c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 7923.625).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 7923.625).

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Chapter 9 - Custody

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SEARCHING FEMALES

900.1 PURPOSE

To establish the criteria under which male employees may search females.

900.2 PROCEDURE

(a) When a female deputy is not available within a reasonable timeframe, a search for weapons or items that may be used as weapons may be conducted in an appropriate manner. Whenever possible, and when officer safety and time allows, the following options should be pursued prior to conducting any search of a female:

1. Notify a Field Supervisor.

(b) If it becomes necessary for a male to search a female, it would be preferable to have a witness present in the following order:

1. A female department member.
2. A male department member.
3. A female witness who is not part of, or connected to, the detention / arrest situation.

(c) If possible, tape-record the contact and any subsequent search

(d) Officer safety is the first priority and the amount of time available to secure a witness will vary from case to case, and may necessitate performing the search without a witness. Clearly, the intent of having a witness is to allow the employee an opportunity to defend any potential complaints of impropriety.

(e) When a male member of the Department performs a search, pat down or frisk of a female, the Department member performing the search shall fully document the circumstances and witness information, if any, on any report written as a result of the stop or arrest. At the earliest opportunity, the deputy who conducted the search shall notify a field supervisor of the incident. If no report is required, a memorandum shall be completed, before the completion of the shift, which contains all relevant facts. The memo shall be directed to the Unit Captain.

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Chapter 10 - Personnel

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Grievance Procedure

1000.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

1000.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or dispute involving the interpretation or application of any of the following documents by the person(s) affected:

(a) The employee bargaining agreement (Memorandum of Agreement)

(b) This Policy Manual

(c) County rules & regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected employee or by a group representative.

1000.2 PROCEDURE

Grievance procedures are outlined in the Memorandums of Agreement established between individual bargaining units and the County of Ventura. Procedures are different in each Memorandum of Agreement. Refer to the appropriate Memorandum of Agreement for details. They can be located online at: https://hr.ventura.org/policies-memorandum

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Reporting of Employee Convictions

1001.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1001.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1001.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty, or nolo contendere plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee's ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member's ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1001.4 REPORTING PROCEDURE

All members of this department and all retired deputies with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Sheriff in the case of retired deputies) in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired deputies with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Sheriff in the case of retired deputies) in

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writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1001.5 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Employees shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm or ammunition as a part of the individual's employment. Relief from any domestic violence or other restriction shall also be pursued through the employee’s own resources and on the employee’s own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee’s duties, the employee may be placed on administrative leave, reassigned, or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee, or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1001.5.1 NOTIFICATION REQUIREMENTS

The Support Services Division Commander shall submit within 10 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Support Services Division Commander shall submit within 10 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this department (11 CCR 1003).

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Communicable Diseases

1002.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for department personnel to assist in minimizing the risk of contracting and/or spreading communicable diseases and to minimize the incidence of illness and injury. The policy will offer direction in achieving the following goals:

(a) To manage the risks associated with blood borne pathogens (BBP), aerosol transmissible diseases, and other potentially infectious substances.

(b) To assist department personnel in making decisions concerning the selection, use, maintenance, limitations, storage, and disposal of personal protective equipment (PPE).

(c) To protect the privacy rights of all department personnel who may be exposed to or contract a communicable disease during the course of their duties.

(d) To provide appropriate treatment and counseling should an employee be exposed to a communicable disease.

1002.2 PROCEDURES FOR EXPOSURE TO BLOOD, BODILY FLUIDS OR AEROSOL TRANSMISSIBLE DISEASES

All department personnel who are exposed to another person’s blood, bodily fluids or an aerosol transmissible disease (e.g., during an altercation or while attending to any injured person) shall follow these procedures and guidelines.

Exposure to blood or other potentially infectious materials includes, but is not limited to, the contact of such substances with the eye, mouth, other mucous membranes, non-intact skin, needle sticks, human bites, cuts or abrasions or any exposure that otherwise qualifies under Health and Safety Code § 121060.1 or 8 CCR § 5193.

Exposure to an aerosol transmissible disease is any event in which all of the following have occurred (8 CCR 5199):

(a) An employee has been exposed to an individual who is a case or a suspected case of a reportable aerosol transmissible disease, or to a work area or to equipment that is reasonably expected to contain aerosol transmissible pathogens associated with a reportable aerosol transmissible disease.

(b) The exposure occurred without the benefit of applicable exposure controls required by this policy.

(c) It reasonably appears from the circumstances of the exposure that transmission of disease is sufficiently likely to require medical evaluation.

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1002.2.1 UNIVERSAL PRECAUTIONS

All human blood and body fluids such as saliva, urine, semen, and vaginal secretions are to be treated as if they are known to be infectious. Where it is not possible to distinguish between body fluid types, all body fluids are to be assumed potentially infectious. If an aerosol transmissible disease is known or suspected, airborne precautions (N-95 respirator/mask) should be utilized.

1002.2.2 PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment is the last line of defense against communicable disease. Therefore, the following equipment is provided for all personnel to assist in the protection against such exposures:

- Not less than two pair disposable latex gloves. (Keeping a box in the car recommended.)
- Safety glasses or goggles
- Rescue mask with a one-way valve
- Alcohol (or similar substance) to flush skin at emergency site. (Keeping several alcohol hand wipes in the car recommend)
- N-95 respirator/mask

1002.2.3 IMMUNIZATIONS

All department personnel who, in the line of duty, may be exposed to or have contact with a communicable disease shall be offered appropriate treatment immunization. Pursuant to CCR T8 §5193 and §5199, the department is required to keep records of vaccinations received or declined.

1002.2.4 WORK PRACTICES

All personnel shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or body fluid is anticipated.

Disposable gloves shall be worn on all medical emergency responses. Disposable gloves shall be worn before making physical contact with any patient and/or when handling items (e.g., evidence, transportation vehicle) soiled with blood or other body fluids. Should one’s disposable gloves become contaminated with blood or other body fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books, and personal items in general) while wearing the disposable gloves in a potentially contaminated environment.

All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying, or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm, and handling contact lenses shall be prohibited in areas where a potential for an exposure exists.

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1002.3 DISPOSAL AND DECONTAMINATION

The following procedures will apply to the disposal and decontamination after responding to an event that involved contact with a person's blood or body fluids, and/or aerosol transmissible diseases:

1002.3.1 USE OF WASTE CONTAINERS

Deputies shall dispose of biohazard with the on-scene fire response vehicle, or at the attending clinic/hospital with their approval, or in an appropriately marked biohazard waste container at the station immediately upon arrival.

The biohazard waste container located at the station shall be collapsible, leakproof, red in color or appropriately labeled with a biohazard warning and routinely emptied.

1002.3.2 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands immediately (on-scene if possible), or as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used to wash one's hands, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or bodily fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant, as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower as soon as possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required.

All hand, skin, and mucous membrane washing that takes place in the station shall be done in a designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms, or other locations not designated as the cleaning or decontamination area.

1002.3.3 SHARPS AND ITEMS THAT CUT OR PUNCTURE

All personnel shall avoid using or holding sharps (needles) unless needed to do so while assisting a paramedic, or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, employees are not to recap sharps. Disposal, when possible, shall be into a puncture proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors, and knives) shall be treated cautiously to avoid cutting, stabbing, or puncturing one's self or any other person. In addition, if a sharp object contains known or suspected blood or other bodily fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs, or a broom and a dustpan to cleanup debris. If the material must be hand held, protective gloves must be worn.

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1002.3.4 DISPOSABLE PROTECTIVE EQUIPMENT
Contaminated disposable supplies (gloves, dressings, CPR mask) shall be transported with the patient or suspect in the ambulance or sheriff's vehicle. The waste material shall then be disposed of in a biohazard waste container at the hospital or sheriff's station. Disposable gloves are to be worn while placing the waste into the waste biohazard container, placing the gloves in with the waste when through.

1002.3.5 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT
After using any reusable personal protective equipment, it shall be washed or disinfected and stored appropriately. If the personal protective equipment is non-reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container as described above, DISPOSABLE PROTECTIVE EQUIPMENT.

Any personal protective equipment that becomes punctured, torn, or loses its integrity, shall be removed as soon as feasible. The employee shall wash up and replace the personal protective equipment if the job has not been terminated. If this situation resulted in a contaminated non-intact skin event, DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES practices as mentioned above, shall be implemented.

Contaminated reusable personal protective equipment that must be transported prior to cleaning it shall be placed into a biohazard waste bag and transported in the ambulance, paramedic truck or sheriff's vehicle. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container, and then included in with the waste.

1002.3.6 DECONTAMINATION OF VEHICLES
Contaminated vehicles and components such as the seats, radios, and doors shall be washed with soap and warm water and disinfected with an approved germicide as soon as feasible.

1002.4 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS

In actual or suspected exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and to ensure the best protection and care for the employee(s).

1002.4.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE
To provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee’s immediate supervisor. Additionally, employees should document in the exposure report whether they would like the person who was the source of the exposure to be tested for communicable diseases.

1002.4.2 SUPERVISOR REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

(a) Name of the employee(s) exposed.

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(b) Date and time of incident.

(c) Location of incident.

(d) What potentially infectious materials were involved.

(e) Source of material or person.

(f) Current location of material or person.

(g) Work being done during exposure.

(h) How the incident occurred or was caused.

(i) PPE in use at the time of the incident.

(j) Actions taken post-event (e.g., clean-up, notifications).

The supervisor shall advise the employee of the laws and regulations concerning disclosure of the identity and infectious status of a source, and the information contained in the section of this policy entitled, SOURCE TESTING.

It is the responsibility of the exposed employee's supervisor to ensure testing is sought. SOURCE TESTING (See below).

1002.4.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any employee who was exposed or who suspects he/she was exposed to HIV or to hepatitis B or C should be seen by a physician or qualified health care provider as soon as possible. The doctor or qualified health care provider should be provided with the supervisor's report and the employee's medical records relevant to the visit and examination. The blood of the exposed employee shall be tested.

The health care professional will provide the County's Risk Manager with a written opinion/ evaluation of the exposed employee's medical condition. This opinion should only contain the following information:

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.
- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition resulting from the exposure incident and whether further treatment or evaluation will be required.
- Whether communicable disease testing from the source is warranted, and if so, which diseases should the testing include.

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

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1002.4.4 COUNSELING

The Department shall provide the exposed employee (and his/her family if necessary) the opportunity for counseling and consultation.

1002.5 SOURCE TESTING

Testing for communicable diseases of a person who was the source of an exposure should be sought when it is desired by the exposed employee or when it is otherwise appropriate. There are five methods to obtain such testing. It is the responsibility of the employee's supervisor, in conjunction with the appropriate health care professional, to ensure that the proper testing and reporting occur. These methods are:

(a) Obtaining voluntary consent from any person who may be the source of an exposure to cover testing for any communicable disease.

(b) Filing a report with the county health officer when an employee is exposed to the bodily fluids of an arrestee. The county health officer may pursue testing for HIV or hepatitis B or C (Penal Code § 7510 et seq.).

(c) Seeking consent for testing or applying for a court order for HIV, hepatitis B and hepatitis C testing (Health and Safety Code § 121060 et seq.).

(d) Seeking a court order when the person who may be the source of an exposure will not consent to testing and the exposure does not fall under the statutory schemes for testing. This covers testing for any communicable disease as deemed appropriate by a health care professional and documented in the request for the court order.

(e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing an adult or juvenile when an employee of the Ventura County Sheriff's Office qualifies as a crime victim (Penal Code § 1524.1).

1002.5.1 EXPOSURE FROM A NON-ARRESTEE

Upon notification of an employee’s exposure to a person who was not arrested, the employee's supervisor should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is indicated, the following steps should be taken:

(a) A licensed health care provider should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or his/her authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the health care provider deems appropriate.

(b) The voluntary informed consent obtained by the health care provider must be in writing and include consent for three specimens of blood for testing. The ECO should document the consent as a supplement to the Exposure Control Report.

(c) The results of the tests should be made available to the source and the exposed employee.

If consent is not obtained, the ECO should promptly consult with County Counsel and consider requesting that a court order be sought for appropriate testing.

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1002.5.2 EXPOSURE FROM AN ARRESTEE

Upon notification of an exposure to an employee by a person who was arrested, the employee's supervisor should take the following steps:

(a) Comply with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.

(b) Take reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).

(c) In all cases, comply with the reporting and testing scheme of Penal Code § 7510 et seq. This includes completing a State Department of Health Services Form CDPH 8479 and submitting it to the County Health Officer with a copy of the Exposure Control Report by the end of the employee's shift. If submission by the end of the shift is not practicable, it must occur as soon as possible but no later than two days after the incident. The exposed employee's name should not appear on this form.

(d) Remain in contact with the County Health Officer to determine whether testing of the arrestee will occur and whether the testing satisfies the medical needs of the employee.

(e) The results of the tests should be made available to the donor and the exposed employee.

(f) Notify Occupational Health Services and advise the Nurse Practitioner of the employee exposure.

Since there is potential for overlap between the two statutory schemes, the ECO is responsible for coordinating the testing with the County Health Officer to prevent unnecessary or duplicate testing.

In the rare event that the exposed employee is not covered by either statutory scheme, the ECO should seek consent or a court order in the same manner as for a non-arrestee.

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Personnel Complaints

1003.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members and employees of this department.

1003.1.1 PERSONNEL COMPLAINTS DEFINED

Personnel complaints consist of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law.

Inquiries about employee conduct which, even if true, would not qualify as a personnel complaint may be handled informally by a department supervisor and shall not be considered complaints.

The department believes that a relationship of confidence and trust with the public is essential to effective law enforcement. Deputies are often faced with a difficult task, they:

- must enforce the law in a fair and impartial manner and still protect the rights of all parties involved
- come into contact with people under the most stressful of circumstances and yet must remain patient and courteous
- must exercise good judgment at all times though they are often called upon to make split-second decisions.

Deputies must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful and impartial manner without fear of reprisal. Likewise they have a special obligation to meticulously respect the rights of all persons.

The department acknowledges its responsibility to establish a system of complaint and disciplinary procedures that will subject personnel to corrective action when they conduct themselves improperly. The department welcomes from the public constructive criticism and valid complaints against its members and procedures. In addition to providing the public with a procedure to present their legitimate complaints, this system is designed to protect employees from false charges and unwarranted criticism.

Any person, regardless of age, race, religion, sex, sexual orientation, national origin, or political affiliation, wishing to lodge a complaint regarding an employee of the Ventura County Sheriff's Office, may do so through contact with any member of this department or through any other police agency for relay to this department. Complaints may be verbal, either in person or by phone, or in written form. It is preferable that the "Citizen's Complaint Form" be utilized by members of the public and other law enforcement agencies if at all possible; however, any form is acceptable.

1003.2 POLICY

The Ventura County Sheriff's Office takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

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The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1003.2.1 AVAILABILITY OF COMPLAINT FORMS

Personnel complaint forms will be maintained at Sheriff's Human Resources, sub-stations and bureaus, and on the Sheriff's Internet site.

1003.2.2 SOURCE OF COMPLAINTS

(a) A department employee who becomes aware of alleged misconduct shall immediately notify a supervisor.

(b) A supervisor who receives a complaint from any source alleging misconduct of an employee which, if true, could result in disciplinary action.

(c) Anonymous complaints and third party complaints made to a department member.

1003.2.3 ACCEPTANCE OF COMPLAINTS

Any employee of this department receiving a personnel complaint, or wishing to initiate one, shall submit it in writing on a memorandum form and direct it to their immediate supervisor. If that supervisor is named in the complaint, the memorandum shall be directed to the next person in the chain of command.

(a) If the complaint is submitted in writing, the original Citizen Complaint Procedure cover letter and a copy of the complainant's statement shall be provided to the complaining party at the time the complaint is made. Additionally, the department member receiving the written complaint shall sign and date the bottom of each form prior to giving the copy to the complainant.

(b) If the complaint is verbal (in person or by telephone) the person receiving the complaint shall put it in writing and forward to his or her immediate supervisor as soon as possible. In the event the complaint involves the immediate supervisor, the information shall be forwarded to the next person in the chain of command. The supervisor or manager who receives the complaint shall ensure it is forwarded to the Professional Standards Bureau for processing. A Citizen Complaint Procedure cover letter with the department member's name and the date shall be attached to the statement and a copy retained by the Professional Standards Bureau.

(c) The Professional Standards Bureau shall track each complaint by the I.A. number assigned to all cases.

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1003.2.4 COMPLAINT DOCUMENTATION

Formal complaints of alleged misconduct shall be documented by a supervisor on a personnel complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

When a personnel complaint form is completed in person, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate that this is not feasible, the complaint may be dictated to the receiving supervisor. In an effort to ensure accuracy in any complaint, it is recommended that a recorded statement be obtained from the reporting party. A refusal by a party to be recorded shall not alone be grounds to refuse to accept a complaint. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement. However, a signature is not necessary to file a complaint. The complainant should be provided with a copy of his/her own original complaint per Penal Code § 832.7.

1003.3 SUPERVISOR RESPONSIBILITY

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation. Moreover, supervisors shall also maintain the ability to engage in the interrogation of an employee in the normal course of duty, counseling, instruction, or informal verbal admonishment, or other routine or unplanned contact (Cal. Govt. Code 3303(i)).

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant or has any personal involvement regarding the alleged misconduct. The Sheriff or the authorized designee may direct that another supervisor investigate any complaint.

The responsibilities of supervisors include but are not limited to:

(a) Responding to all complainants in a courteous and professional manner

(b) Investigating a complaint as follows:

1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.
2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
3. Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
4. Ensuring interviews of the complainant are generally conducted during reasonable hours.

(c) Resolving those personnel complaints that can be resolved immediately.

1. Follow-up contact with the complainant should be made within a reasonable time of the Department receiving the complaint.
2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form or memorandum and forward the form to the Internal Affairs Captain, via the change of command.

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(d) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed, by complainant or a member of the agency.

1. The original complaint form will be directed to the Internal Affairs Captain, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Sheriff, who will initiate appropriate action.

(e) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Commander and the Sheriff are notified via the chain of command as soon as practicable.

(f) Promptly contacting the Department of Human Resources and the Internal Affairs Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination.

(g) Forwarding unresolved personnel complaints to the Internal Affairs Captain, who will determine whether to contact the complainant or assign the complaint for investigation.

(h) Informing the complainant of the investigator's name and the complaint number after assignment.

All alleged violations of law, civil rights, or violations of department policy or procedures shall be sent through channels to Support Services Professional Standards, Internal Affairs for investigation or assignment by the Internal Affairs Bureau Captain.

(a) After review, the Internal Affairs Captain or designee shall assign the investigative responsibility. If the alleged misconduct is criminal in nature, the complaint shall be forwarded to the Major Crimes Captain who will direct the criminal investigation and submit the case to the district attorney for review as necessary.

(b) Upon completion of any criminal investigation, the investigation and conclusion will be submitted to the Internal Affairs Captain who will then direct the administrative investigation. At the direction of the Support Services Commander or designee, an administrative investigation may be conducted at the same time as the criminal investigation, provided that both investigations are kept separate. The administrative investigation will be confidential with the Professional Standards Bureau maintaining the file.

(c) The Bureau Commander to which the employee is assigned shall be notified by the Internal Affairs Commander or Captain when an investigation is opened or closed unless confidentiality is critical to the success of the investigation.

(d) A supervisor dealing with an accused employee shall ensure that the procedural rights of the employee are followed pursuant to Government Code § 3303, et seq.

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1003.4 ALLEGATIONS OF CRIMINAL CONDUCT

When an employee of this department is accused of potential criminal conduct, a Major Crimes detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Sheriff or designee shall be notified as soon as practical when an employee is formally accused of criminal conduct. In the event of serious criminal allegations, the Sheriff may request a criminal investigation by an outside law enforcement agency.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to any member of the public and the employee may not be administratively ordered to provide any information to a criminal detective.

No information or evidence administratively coerced from an employee may be provided to a criminal detective.

Any law enforcement agency is authorized to release information concerning the arrest or detention of a peace officer, which has not led to a conviction, however, no disciplinary action, other than paid administrative leave shall be taken against the accused employee based solely on an arrest or crime report (Labor Code § 432.7(b)). An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with department policy.

1003.5 ADMINISTRATIVE INVESTIGATION OF COMPLAINT

Whether conducted by a supervisor or an assigned member of the Professional Standards Bureau, the following procedures shall be followed with regard to the accused employee(s) for all formal complaints:

(a) Interviews of accused employees shall be conducted during reasonable hours and, if the employee is off-duty, the employee shall be compensated (Government Code § 3303(a)).

(b) No more than two interviewers may ask questions of an accused employee (Government Code § 3303(b)).

(c) Prior to any interview, an employee shall be informed of the nature of the investigation (Government Code § 3303(c)).

(d) All interviews shall be for a reasonable period and the employee's personal needs shall be accommodated (Government Code § 3303(d)).

(e) No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively or be subject to discipline for insubordination. Nothing administratively ordered may be provided to a criminal investigator (Government Code § 3303(e)).

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(f) Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses in all Formal Complaint Investigations. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview (Government Code § 3303(g)).

(g) In all Formal Complaint Investigations, the employee shall be advised of his/her Constitutional rights pursuant to *Lybarger*. This admonishment shall be given administratively whether or not the employee was advised of these rights during any separate criminal investigation. (Government Code § 3303(h)).

(h) All employees subjected to interviews that could result in punitive action shall have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual employee's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).

(i) All employees shall provide complete and truthful responses to questions posed during interviews.

(j) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

1003.5.1 ADMINISTRATIVE SEARCHES

An employee of this department **may be** administratively ordered to submit to a blood, breath, or urine test for alcohol and drugs when the employee is found to be exhibiting objective symptoms of intoxication or drug influence while on duty.

The use of compelled testing results shall be restricted to the administrative investigation.

Any employee may be compelled to disclose personal financial information pursuant to proper legal process; if such information tends to indicate a conflict of interest with official duties, or, if the employee is assigned to or being considered for a special assignment with a potential for bribes (Government Code § 3308).

Employees shall have no expectation of privacy when using telephones, computers, radios or other communications provided by the department.

Assigned lockers and storage spaces may only be administratively searched in the employee's presence, with the employee's consent, with a valid search warrant or where the employee has been given reasonable notice that the search will take place (Government Code § 3309).

All other departmentally assigned areas (e.g., desks, office space, assigned vehicles) may be administratively searched by a supervisor, in the presence of an uninvolved witness, for non-investigative purposes. (e.g., obtaining a needed report or radio). An investigative search of such areas shall only be conducted upon a reasonable suspicion that official misconduct is involved.

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1003.6 DISPOSITION OF PERSONNEL COMPLAINTS

Each allegation shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.5(c)).

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Abated - Due to lack of merit; the complainant withdraws the complaint or refuses to cooperate with the investigation, and/or there is insufficient evidence or alternative sources of information to pursue the matter further.

If an investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1003.7 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation. In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1. If the nature of the allegations dictate that confidentiality is necessary to maintain the integrity of the investigation, the involved employee(s) need not be notified of the pending investigation unless and until the employee is interviewed or formally charged within one year of discovery.

All investigations shall be reviewed by the Professional Standards commander upon completion. Additionally, all investigations with a sustained allegation should be forwarded through the chain of command to the commander of the involved employee(s).

Once received, the Sheriff or designee may accept or modify the classification and recommendation for disciplinary action contained in the report.

Within 30 days of the final review by the Sheriff or designee, written notice of the findings shall be sent to the complaining party. This notice shall indicate the findings, however, will not disclose the amount of discipline, if any imposed. The complaining party should also be provided with a copy of his/her own original complaint (Penal Code § 832.7).

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Any complaining party who is not satisfied with the findings of the department concerning their complaint may contact the Sheriff or designee to discuss the matter further.

1003.7.1 CONFIDENTIALITY OF PERSONNEL FILES

All investigations of personnel complaints, whether originating from a citizen or internally, shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the Department may disclose sufficient information from the employee's personnel file to refute such false representations (Penal Code § 832.5).

Citizen’s complaints shall be maintained for a period of at least five years (Penal Code § 832.5). All internally initiated complaints shall be maintained at least two years (Government Code § 34090 et seq.).

Complaints shall be maintained by the Professional Standards Bureau apart from the employee's personnel file.

1003.7.2 EMPLOYEE RESPONSE

If discipline is imposed as the result of an internal investigation, employees desiring to appeal or grieve the proposed discipline shall follow the procedures set forth in their respective MOA, County Personnel Rules and Regulations, and the General Order entitled Discipline Guidelines.

Nothing set forth herein shall be considered to restrict the right of management to take immediate disciplinary action when it is deemed appropriate. The foregoing is merely a summary and employees should refer to their respective Memorandum of Agreement or the County Personnel Rules and Regulations for a comprehensive explanation of the appeal process and the individual responsibility required of an appellant in that process.

1003.8 REQUIRED REPORTING TO POST

The Sheriff or the authorized designee shall notify POST on the appropriate POST form within 10 days of certain deputy personnel events, including but not limited to (Penal Code § 13510.9):

(a) Termination or separation from employment or appointment. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.

    1. A POST affidavit-of-separation form shall be executed and maintained by the Department and submitted to POST as required by Penal Code § 13510.9 and 11 CCR 1003.

(b) Events that could affect a deputy's POST certification, such as:

    1. Complaints, charges, or allegations of serious misconduct (as defined by Penal Code § 13510.8).

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2. Findings of civilian review boards.
3. Final dispositions of any investigations.
4. Civil judgments or court findings based on conduct, or settlement of a civil claim against a deputy or the Ventura County Sheriff's Office based on allegations of conduct by a deputy.

The Sheriff or the authorized designee shall be responsible for providing POST access to or duplication of investigation documentation (e.g., physical or documentary evidence, witness statements, analysis, conclusions) within the applicable timeframe provided in Penal Code § 13510.9.

1003.8.1 NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

The Sheriff or the authorized designee shall report allegations of serious misconduct by a deputy to POST and the report shall include the following (11 CCR 1207):

(a) Name of the Department
(b) Administrative case number
(c) Name, current address, and phone number of the complainant, if available
(d) Name, POST ID, current address, and phone number of the involved deputy
(e) A summary of the alleged misconduct including:
    1. A narrative of the allegations
    2. Date and time of incidents
    3. Location of occurrence
    4. Any witness information, if available
    5. Summary of arrest or indictment of involved deputy
(f) A change in employment status of the involved deputy (e.g., administrative leave, suspension, termination)
(g) Name and contact information of the assigned investigator

The Sheriff or the authorized designee shall provide updates of the investigation to POST every 90 days until the final disposition in the method designated by POST (11 CCR 1207).

Upon completion of the investigation, the Sheriff or the authorized designee shall submit to POST the final disposition of the investigation as well as investigation materials and the deputy's service record as provided by 11 CCR 1207.

1003.8.2 ADDITIONAL NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

Additional notification shall be made to POST (11 CCR 1207):

(a) If the imposed disciplinary action is pending appeal or other review through an administrative or judicial proceeding:
    1. The Department shall provide the name of the body conducting the proceeding.

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2. The status of the proceeding, if known.

(b) If criminal charges are pending:

1. The name of the court having jurisdiction over the criminal charges against the deputy.

2. The status of the criminal case, if known.

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Personnel Records

1004.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1004.2 PERSONNEL FILES DEFINED

Pursuant to Penal Code § 832.8, All official department records pertaining to a member's activities before or during employment are to be maintained in the Support Services Division, under the control of the applicable bureau and its commander.

(a) In general, personnel files are confidential and may only be accessed, with certain limitations, by the department member. Upon submission of a signed waiver of release, a member may authorize his or her designee access to allowable files. The waiver must be specific as to the records to which the member is granting access.

(b) Members desiring copies of accessible information contained within their files may request duplicates by stating their need and reason to the Sheriff's Human Resources Director.

(c) No person may have access to a member's personnel files, except as authorized below for the purposes of investigation, awards, additions, maintenance, or other necessary duties. A personnel file may not be removed from Support Services without the approval and supervision of the Sheriff's Human Resources Director or designee.

(d) Peace officer personnel files are accessible by court order, which must be in the form of a "Pitchess Motion". Usually the files requested are only for records of complaints and they are handled in accordance with the department's "Pitchess Motion" procedures.

(e) No adverse or disciplinary material will be placed in a personnel file without the member first being given an opportunity to read such material. The member will then acknowledge that he or she has read such material by affixing his or her signature on the document, with the understanding that in doing so no admission of concurrence is being made.

1004.2.1 DEPARTMENT PERSONNEL FILES

Personnel records are maintained in three (3) separate files for each member.

- The General Personnel File

(a) The general personnel file includes the following and is maintained by Sheriff's Human Resources:

1. Personnel Action forms;
2. Appointment papers;
3. Department disciplinary letters;

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4. Commendations;
5. Promotion and transfer memos;
6. Photograph;
7. Performance reviews;
8. Probationary forms.

Copies of items 1, 2, 3, 7 and 8 are forwarded to County Human Resources.

All items in the general personnel file are maintained as long as the member is employed, plus six (6) years. The exception is any written reprimand, which the member can petition to have removed after two (2) years providing no additional report has occurred in the intervening period.

The general personnel file is accessible by the member during normal business hours. Supervisors may access this file with a bonafide reason consistent with their duties.

- Training File

(a) The training file includes the following and is maintained by Sheriff's Human Resources:

1. Training certificates;
2. College transcripts;
3. Patrol training manual (scanned);
4. Training log.

The training file is maintained as long as the member is employed, plus six (6) years.

Members are responsible for ensuring that copies of training certificates and diplomas are forwarded to Human Resources for placement in their training file. This file is accessible by the member upon request during normal business hours. Supervisors may access this file with a bonafide reason consistent with their duties.

- Background File

(a) The background file includes the following and is maintained by Sheriff's Human Resources:

(a) Personal History Statement;
(b) Background Investigator's Report;
(c) Reference letters;
(d) Polygraph report;
(e) Medical reports;
(f) Legal documents, including birth and marriage certificates, transcripts, military documents and government agency mailers.

The background file is maintained as long as the member is employed, plus six (6) years.

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Access to this file is not granted to any other person except during the course of an official investigation.

1004.2.2 INTERNAL INVESTIGATION FILES

The internal investigation file includes the following and is maintained in the Sheriff's Professional Standards Internal Affairs Unit:

(a) Complaint;

(b) Investigation reports;

(c) Evidence;

(d) Tapes;

(e) Disciplinary letters if applicable.

It is the department's policy to purge all internal investigation files after a period of five years from the completion date. Files subject to litigation may be maintained longer at the discretion of the department.

Upon request to the Internal Affairs Unit Captain, these files may be accessed by members who are the focus of a complaint, the Attorney General's Office, the District Attorney's Office, and the Grand Jury. Other persons may be authorized by the member, who was the focus of the complaint, to review an Internal Investigation file, following a written request submitted by that member.

Specific information not considered in disciplining a member may be deemed confidential and inaccessible to the member or his designee.

Internal Affairs Unit managers must authorize any other access.

1004.2.3 PSYCHOLOGICAL FILES

Prior to March 2001, the department Psychologist maintained these files. These files include the following:

(a) Pre-employment Screening

1. Psychological tests and reports;

(b) Specialized Assignments.

1. Psychological tests for specialized assignments such as Narcotics Bureau, Bomb Team, SWAT Team, or Hostage Negotiation Team.

(c) Fitness for Duty reports

1. The psychological files are maintained as long as the member is employed plus six (6) years.

2. Psychological tests and results, if administered prior to March 2001, are accessible by each member upon request to the Sheriff, or the Assistant Sheriff. The psychologist's personal notes and therapy records are not accessible.

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3. Tests administered after March 2001 belong to the consulting private psychologist who administered the test or conducted the consultation.

1004.2.4 DIVISIONAL PERSONNEL FILES

The divisional personnel file includes the following and is maintained by member's current division:

- A copy of the member's last performance review;
- Monthly evaluation forms;
- Divisional personnel reports;
- Commendations;
- Emergency contact and home address information.

Divisional personnel files shall be purged upon completion of the member's annual performance review unless specific circumstances can be articulated for an additional year of retention.

Upon completion of each member's annual review, the only information remaining in the member's file should be the current annual performance review, emergency contact and home address information.

When a member leaves the division, the divisional personnel file shall be sent to the member's new division, or upon termination, to Sheriff's Human Resources.

The divisional personnel file is accessible by the member during normal business hours through the division's administration. Supervisors may access the divisional file with bonafide reasons consistent with their duties.

1004.2.5 ACADEMY TRAINING FILES

The academy training file includes the following and is maintained, with no purge date, at the Training Center.

(a) Academy Training File

1. Test Scores;
2. Peer evaluations;
3. First reports of injuries;
4. Disciplinary/remediation memos;
5. Research memos;
6. Cadet comment sheets.

(b) In-Service Training File

1. Training files;
2. Range qualification score sheets.

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These files may be accessed by the member during normal business hours. Supervisors may access these files with bonafide reasons consistent with their duties.

1004.2.6 COLLISION REVIEW COMMITTEE FILES
The collision review committee file includes the following and is maintained in Support Services Administration:

(a) Vehicle Damage/Tow Form;

(b) Traffic collision report;

(c) Collision Review Committee meeting synopsis.

Vehicle collision reports are filed by year with an assigned number. They are kept indefinitely for statistical purposes.

Vehicle collision review files are accessible to the member and members of the Collision Review Committee. Refer to Vehicle Use policy (Chapter 7), sections Accident, damage, abuse, and towing of county vehicles and Collision Review Committee, for the policy governing the disposition of vehicle damage and collision reports.

1004.3 CONFIDENTIALITY OF ALL PERSONNEL FILES

Pursuant to Penal Code § 832.7, all of the above-defined personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Evidence Code § 1043, et seq. or in accordance with applicable federal discovery laws. Nothing in this section is intended to preclude review of personnel files by the Ventura County District Attorney or other attorneys or representatives of the County in connection with official business.

1004.4 TRAINING FILE

An individual training file shall be maintained, at the Training Center, by the Training Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education. A supplemental Training file will also be kept in Sheriff's Human Resources. Training records may also be created and stored remotely, either manually or automatically.

(a) The involved member is responsible for providing the Training Sergeant or immediate supervisor and Sheriff's Human Resources with evidence of completed training/ education in a timely manner.

(b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member’s training file.

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1004.4.1 RELEASE OF CONFIDENTIAL INFORMATION

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential peace officer personnel file shall be disclosed to any unauthorized person(s) without the express consent of the involved deputy or written authorization of the Sheriff or his or her designee.

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

Pursuant to Penal Code § 832.7(e), the disposition of any citizen's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any was imposed.

The Department may also release any factual information concerning a disciplinary investigation if the deputy who is the subject of the investigation (or the deputy's representative) publicly makes a statement which is published in the media and which the deputy (or representative) knew to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7(d)).

1004.5 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Professional Standards Bureau in conjunction with the office of the Sheriff. Access to these files may only be approved by the Sheriff or the Professional Standards Bureau supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's file but will be maintained in the internal affairs file:

(a) Not sustained

(b) Unfounded

(c) Exonerated

Investigation files arising out of sustained civilian’s complaints involving misconduct shall be maintained pursuant to the established records retention schedule and for a period of at least 15 years. Investigations that resulted in other than a sustained finding may not be used by the Department to adversely affect an employee’s career (Penal Code § 832.5).

Investigation files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least four years (Government Code § 12946).

Investigation files arising out of a civilian complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and for at least five years (Penal Code § 832.5).

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1004.6 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1004.7 RELEASE OF PERSONNEL INFORMATION

Personnel records shall not be disclosed except as allowed by law (Penal Code § 832.7; Evidence Code § 1043) (see also Records Maintenance and Release Policy).

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of the Ventura County Sheriff's Office may be guilty of a misdemeanor (Penal Code § 146e).

The Ventura County Sheriff's Office may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7).

The Ventura County Sheriff's Office may without a request, disclose to the public the cause of termination
for a disclosable incident involving a former deputy, as permitted by law (Penal Code § 832.7(b)(13)).

1004.8 RELEASE OF LAW ENFORCEMENT GANG INFORMATION

Information relating to the termination of a deputy from the Ventura County Sheriff's Office for participation in a law enforcement gang shall be disclosed to another law enforcement agency that is conducting a pre-employment background investigation except where specifically prohibited by law (Penal Code § 13670).

1004.9 RELEASE OF PEACE OFFICER RECORDS RELATING TO HATE COMPLAINTS

Records relating to a deputy for an investigation of a hate complaint described in Penal Code § 13682 with a sustained finding that the deputy engaged in membership in a hate group, participated in a hate group activity, or advocacy of public expressions of hate are not confidential and shall be made available for public inspection though a public records request

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(Penal Code § 13683).

Records disclosed may be redacted as provided in Penal Code § 13683.

1004.10 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF DEPUTIES

Personnel records and records related to certain incidents, complaints, and investigations of deputies shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Sheriff or the Professional Standards Bureau supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(3):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against a deputy in connection with an incident, whether the deputy's action was consistent with law and department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.
- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(8) or other law, the following records (hereinafter qualifying records) shall be made available for public inspection no later than 45 days from the date of a request (Penal Code § 832.7(b)(1)):

(a) Records relating to the report, investigation, or findings of:

1. The discharge of a firearm at another person by a deputy.
2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by a deputy.
3. A sustained finding involving a complaint that alleges unreasonable or excessive force.

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4. A sustained finding that a deputy failed to intervene against another deputy using force that is clearly unreasonable or excessive.

(b) Records relating to an incident where a sustained finding was made by the Department or oversight agency regarding:

1. A deputy engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).

2. Dishonesty of a deputy relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another deputy, including but not limited to any false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.

3. A deputy engaged in conduct including but not limited to verbal statements, writings, online posts, recordings, and gestures involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

4. A deputy made an unlawful arrest or conducted an unlawful search.

Qualifying records will be made available regardless of whether the deputy resigns before the Department or an oversight agency concludes its investigation (Penal Code § 832.7(b)(3)).

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(4)).

When an investigation involves multiple deputies, the Department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of a deputy unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(5). However, factual information about the action of the deputy during an incident or the statements of a deputy shall be released if the statements are relevant to a finding of the qualified allegation against another deputy that is subject to release (Penal Code § 832.7(b)(5)).

1004.10.1 REDACTION

The Custodian of Records, in consultation with the Sheriff or authorized designee, shall redact the following portions of qualifying records made available for release (Penal Code § 832.7(b)(6)):

(a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of deputies

(b) Information that would compromise the anonymity of whistleblowers, complainants, victims, and witnesses

(c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct and use of force

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(d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the deputy or another person

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(7)).

1004.10.2 DELAY OF RELEASE

Unless otherwise directed by the Sheriff, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of qualifying records due to any of the following conditions (Penal Code § 832.7):

(a) Active criminal investigations

1. Disclosure may be delayed 60 days from the date the misconduct or use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.
2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against a deputy or against someone other than a deputy who engaged in misconduct or used the force.

(b) Filed criminal charges

1. When charges are filed related to an incident in which misconduct occurred or force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.

(c) Administrative investigations

1. Disclosure may be delayed until:
   (a) There is a determination from the investigation whether the misconduct or use of force violated law or department policy, but no longer than 180 days after the date of the department's discovery of the misconduct or use of force or allegation of misconduct or use of force

1004.10.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of qualifying records, the Custodian of Records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

(a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.

(b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that

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disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.

1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:
    (a) When the criminal proceeding is against someone other than a deputy and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Department must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about misconduct or use of force by deputies.

In cases where an action to compel disclosure is brought pursuant to Government Code § 7923.000, the Department may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(8)).

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Seat Belts

1005.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1005.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1005.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1005.3 TRANSPORTING PERSONS IN CUSTODY

Persons who are in custody should be in a seated position and secured in the rear seat of any department vehicle with a restraint system or, when a restraint system is not available, by seat belts provided by the vehicle manufacturer. The restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

(a) This order does not apply to prisoners/passengers on Sheriff's transportation buses or vans or to prisoners with physically disabling or medical conditions which would prevent the proper utilization of factory installed safety belts.

(b) If the prisoner is so combative as to create a potential for injury to the officer or prisoner, the belt need not be used until the prisoner can be restrained safely.

An incarcerated person in leg restraints or the WRAP shall be transported in accordance with the Handcuffing and Restraints Policy.

1005.4 TRANSPORTING CHILDREN

Children under the age of 8 shall be transported in compliance with California’s child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system

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manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).

1005.5 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

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Body Armor

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1006.2 POLICY

It is the policy of the Ventura County Sheriff's Office to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1006.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is issued to all deputies when the deputy begins service at the Ventura County Sheriff's Office and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1006.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

(a) Deputies shall only wear agency-approved body armor.

(b) Deputies shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Deputies may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action. Deputies are also excused from wearing body armor in a detention environment.

(d) Body armor shall be worn when a deputy is working in uniform in the field.

(e) A deputy may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1006.3.2 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should be cared for, cleaned, and stored pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance

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capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

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Transfer Policy

1007.1 PURPOSE AND SCOPE

It is the intent of the department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

Due to the differences in positions held by sworn and professional staff, this policy applies only to sworn personnel. Transfers of professional staff, when such opportunities exist, are at the discretion and approval of the command and executive staff of each respective division.

1007.1.1 GOALS

- To distribute acquired professional expertise throughout the department.
- To provide personnel the opportunity to acquire broad job experience and increased eligibility for a variety of assignments.
- To provide the opportunity for an employee to enhance his/her individual promotability.
- To provide personnel the opportunity for professional growth.
- To improve job efficiency, provide personnel the opportunity to display individual initiative by providing the opportunity for job satisfaction and the vehicle to identify and reward exemplary performance.

1007.2 REQUEST FOR CHANGE OF ASSIGNMENT

Personnel wishing a change of assignment must complete a Transfer Request Form. The original form should then be forwarded in the manner designated on the posting along with a copy to Sheriff's Human Resources.

No transfer shall be considered without the submittal of a formal transfer request, in accordance with this policy.

Applicants may not be considered for transfer if they have performance or disciplinary issues deemed relevant for the position they are seeking.

Transfer request applications shall be purged and may be renewed annually after January 1st of each successive year.

Trades and/or requests for transfers to non-specialized assignments shall be subject to the provisions of this policy and shall occur as part of other routine transfers. Urgency to meet department needs or because of personal hardships shall be a consideration.

1007.2.1 DEPARTMENTAL GUIDELINES AND CONSIDERATIONS

1. A listing of job descriptions for all classifications/assignments shall be maintained by Human Resources considered non-general custody or general patrol. Descriptions shall identify prerequisite job experience, specialized skills, and personal traits

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necessary to successfully perform the job along with a general description of the conditions of the work environment.

Each division commander/bureau manager is responsible for monitoring the term length for sworn staff in specialty positions. Factors to consider when deciding to facilitate transfers include, but are not limited to: complexity of assignment/time needed to gain competency, the loss of expertise a transfer will have on the unit/bureau, desire to develop department wide professional expertise, desire to reward initiative/positive performance to those seeking greater opportunity, and the performance of the individual currently holding the position.

2. Establish format for evaluating applicants in filling vacancies within their respective division, subject to review by the Human Resources Bureau.

3. Maintain a transfer request book as the recognized source of personnel to consider in filling divisional vacancies.

4. Remove annually to an inactive file, all transfer requests and evaluation selection documents at the conclusion of each calendar year. These documents shall be maintained subject to inspection by the Human Resources Bureau and shall be purged after one (1) year.

5. Post department-wide, with a minimum of thirteen (13) days notice, a listing of any anticipated vacancies. Posting of anticipated vacancies shall be based on upcoming transfers and anticipated promotions. Personnel should recognize that the timely backfilling of secondary vacancies created through promotions or fulfillment of specialty assignments may not allow time to post notice of vacancy.

1007.3 SELECTION PROCESS

The selection process may vary, based upon the type and number of vacancies. Applicant evaluation shall be part of any selection process and be limited to the most recent five (5) year work history.

(a) Division Assistant Sheriff may review and consider the following as a part of their selection process:

1. Personnel files including; performance appraisals, commendations and awards, discipline, sustained complaints.
2. Job attendance history and sick leave usage.
3. An audit or prior written exemplars for content and effective communications.
4. Resumes (limited to two (2) pages), reflecting work history, collateral assignments, education and training.
5. Skills, training and education applicable to vacant assignment.
6. Other items, which shall be specifically identified as part of the application evaluation.

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(b) Evaluations may include a personal interview with each applicant at least once each calendar year.

(c) Selection to fill any vacancy shall be on the basis of proven job competency, exhibited capability and possession of prerequisite skills necessary for position sought. All things being equal, consideration shall be given to seniority within the classification.

(d) At the conclusion of the evaluation process, the successful applicant(s) shall be recommended for appointment to the Sheriff or his designee who shall make the final decision.

1007.4 HUMAN RESOURCES BUREAU

Exceptions to the provisions of this policy may be granted by the Sheriff, if necessary, to meet identified department needs.

Nothing in this policy shall prevent a bureau manager from exercising his/her discretion and rights as a manager, subject to the review by the division Assistant Sheriff, to remove a staff member from his/her assignment prior to the expiration of his/her term for cause or behavior disruptive to the efficiency of the work environment.

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COLLATERAL ASSIGNMENTS

1008.1 PURPOSE AND SCOPE

To establish departmental guidelines for the selection of personnel for collateral assignments throughout the department.

1008.2 BACKGROUND

The department has found that a number of specialized functions can operate most cost effectively as collateral assignments. Personnel train for and carry out specialized function, such as SWAT or Mounted Patrol, in addition to their normal work assignment. Each specialized unit has independent requirements used to evaluate applicants. On occasion, deputies serve on more than one specialized unit, which can potentially have an adverse impact on their primary assignment, or other collateral assignments. To reduce potential conflicts, the following review process shall be observed.

1008.3 REVIEW PROCESS

First Collateral Assignment:

If a deputy wishes to join a specialized collateral unit, he/she must submit a completed copy of the attached Collateral Authorization Memo https://sheriffintranet/wp-content/uploads/2018/08/HR_Collateral_Authorization_Memo.pdf to his/her respective captain prior to applying for the position. The Collateral Authorization Memo is only an approval to apply for the collateral assignment. The captain will review the memo and the deputy's performance in his/her regular assignment. As both the department and the deputy benefit from collateral assignments, captains should generally be supportive of requests. If the captain authorizes the request, the deputy shall submit a copy of the approved request with the application to the specialized unit.

More than one Collateral Assignment:

Some deputies may wish to participate on more than one collateral team. If the second collateral assignment is not time intensive in terms of training and call out requirements, this may be a reasonable request. An example of this might be a deputy working with the Mounted Unit wishing to join the Honor Guard. The second collateral unit is not time intensive and activation is not likely to conflict with the first collateral assignment. However, having two or more collateral assignments is generally discouraged. The requesting deputy shall complete the Authorization Memo listing his/her current primary assignment, current collateral assignment, and the collateral unit the deputy wishes to join prior to applying for the collateral. The deputy's captain and commander must approve the request. If approved, the signed memo shall accompany the application to the collateral unit.

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1008.3.1 SELECTION PROCESS

Prior to final selection, the supervisor responsible for the appointment shall verify with the applicant's respective commander that the approval is still in effect. This will eliminate the potential for any division being adversely impacted by excessive collateral assignments.

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Fitness for Duty

1009.1 PURPOSE AND SCOPE

All employees are required to be free from any physical, emotional, or mental condition which might adversely affect their ability to perform their duties.

1009.1.1 SWORN EMPLOYEES

All sworn employees are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all deputies of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

1009.2 EMPLOYEE RESPONSIBILITIES

(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.

(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1009.3 SUPERVISOR RESPONSIBILITIES

(a) Any supervisor observing circumstances indicating that the emotional or mental fitness of an employee may be in question should meet with the employee if to do so will not aggravate the situation. If the meeting does not relieve the supervisor's concern, or no meeting is conducted the supervisor shall prepare a written report and contact his division commander. All information shall be forwarded to the Support Services Assistant Sheriff.

(b) In circumstances where an employee's conduct directly threatens safety, the supervisor may immediately relieve the employee from duty. In other cases an employee may be relieved from duty or reassigned as necessary for public safety or the efficient operation of the department pending completion of an evaluation.

(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

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(d) The Support Services Assistant Sheriff shall make a determination whether a fitness for duty evaluation is warranted. If an examination is warranted it shall be scheduled for the earliest opportunity.

1009.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use the appropriate time off in order to obtain medical treatment or other reasonable rest period.

1009.5 WORK RELATED CONDITIONS

Any employee suffering from a work related condition which warrants temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

The employee will be provided a written order to include:

(a) A brief description of the reasons for the evaluation.

(b) The date, time, and place of the examination.

(c) The name of the evaluator.

(d) A directive to cooperate with all requests of the physician, therapists or his/her staff and to completely and honestly answer any questions posed.

(e) A statement that the evaluation is confidential between the employee and the evaluator to the extent required by law. The evaluator will release limited information to the department and the employee may authorize the release of additional information.

1009.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Sheriff or his designee may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Sheriff's Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time, and place for the examination.

(b) The examining physician or therapist will provide the department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties (Civil Code § 56.10 (c)(8)(A)). If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)(B)).

(c) In order to facilitate the examination of any employee, the department will provide all appropriate documents and available information to assist in the evaluation and/ or treatment.

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(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential medical file.

(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

1009.7 EVALUATORS

(a) Psychological fitness for duty evaluators will meet the following criteria:

1. Licensed psychologist with at least 5 years experience in the diagnosis and treatment of mental disorders.
2. Possess training and background in psychological test interpretation and law enforcement psychological assessment techniques.
3. Must be familiar with the literature in police psychology and the essential job functions of a peace officer.
4. Have knowledge of case law and other legal requirements related to employment and personnel practices.
5. Have devoted a part of his or her practice to police psychology or worked under the supervision of a police psychologist.
6. Be prepared by training and experience to qualify as an expert for any proceeding that might arise from the evaluation.

(b) The department shall maintain a list of pre-qualified outside providers to perform evaluations on a contract basis.

(c) The department will select a provider from the list in rotation based on reasonable availability.

(d) In an effort to eliminate any appearance of conflict or bias, any psychologist who has treated, counseled or completed a prior fitness for duty on the subject officer will be skipped in rotation.

(e) The department psychologist shall coordinate scheduling, provide appropriate information and receive reports from the designated providers.

All statements made to the evaluator shall be considered compelled and shall not be used in a criminal or civil proceeding unless provided by law.

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1009.8 ADDITIONAL PROVISIONS

(a) Refusal to comply with the order or any of its parts or with reasonable requests by the evaluator shall be deemed insubordination and shall be grounds for disciplinary action up to and including termination.

(b) In order to protect the report from unauthorized use or disclosure, reports shall be maintained in a separate file in the custody of the department approved psychologist who conducted the evaluation. Employees may review the information received by the department from the provider and used to make the fitness determination. Such review shall be by appointment with the psychologist to ensure accurate interpretation of the report.

(c) The report may only be used or disclosed in a legitimate and appropriate proceeding to the extent authorized or compelled by law or agreement.

(d) Nothing in this policy shall restrict the ability of the department to order further evaluation, performed by a psychiatrist meeting the above criteria, in cases where the primary evaluation is inconclusive or where deemed necessary for further administrative proceedings.

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Meal Periods and Breaks

1010.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all county employees that has been established by the Chief Executive Officer (CEO).

1010.1.1 MEAL PERIODS

Uniformed personnel assigned to a minimum deployment shift schedule shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol and traffic deputies shall request clearance from Sheriff's Communication Center (SCC) prior to taking a meal period. Uniformed deputies shall take their breaks within his/her assigned work area.

The time spent for the meal period shall not exceed the authorized time allowed.

1010.1.2 15 MINUTE BREAKS

Each employee is entitled to a 15 minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the Sheriff's facility shall remain in the Sheriff's facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field deputies will take their breaks in their assigned areas, subject to call and shall monitor their radios. When field deputies take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of Sheriff's Communication Center (SCC).

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Lactation Breaks

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding reasonable accommodations for lactating members (Labor Code § 1034).

1011.2 POLICY

It is the policy of the Ventura County Sheriff's Office to provide, in compliance with federal and state law, reasonable accommodations for lactating members. This includes break time and appropriate facilities to accommodate any member desiring to express breast milk for the member's nursing child (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; Labor Code § 1030).

1011.3 LACTATION BREAK TIME

A rest period should be permitted each time the member requires a lactation break (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Members desiring to take a lactation break shall notify the [dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1011.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view, free from intrusion from coworkers and the public, and otherwise satisfy the requirements of federal and state law (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; Labor Code § 1031).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

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Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

1011.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

1011.5.1 STATE REQUIREMENTS

Members have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Members who believe that their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code § 1033).

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Overtime

1012.1 PURPOSE AND SCOPE

To establish the policies which shall govern the reduction of employee overtime banks.

1012.1.1 POLICY

The following rules shall apply when employees are instructed to reduce their overtime banks:

(a) Whenever possible compensatory time off shall be given in conjunction with regular days off unless otherwise requested by the employee.

(b) Employees will be given a minimum of ten (10) calendar days notice prior to scheduled time off. The accommodation of the employee, as well as the department's responsibility to the public, shall be considered when scheduling time off.

(c) Scheduled compensatory time off shall not be canceled by the Sheriff's Office within (72) hours of its effective date without the consent of the employee.

(d) The foregoing will not apply in time of emergency.

(e) Regular scheduling difficulties are not considered emergencies. However, employees who volunteer for overtime and as a result are not available for, or in the opinion of a supervisor, capable of safely working or completing their regular assigned shift, may be assigned compensatory time off at that time.

The following rules shall apply when employees are to be called in from their regular off duty time:

(a) A supervisor has the authority to call in off duty employees for emergency situations or to meet minimum deployment standards.

(b) Whenever possible consideration should be given to the employee who has worked the least amount of overtime and/or total hours.

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Outside Employment

1013.1 PURPOSE AND SCOPE

The Sheriff's Office regulates the outside employment of employees to avoid situations which may result in conflicts with statutes, judicial decisions, law enforcement ethics or create an adverse effect upon public confidence in county government. In accordance with the provisions of this policy, all outside employment shall be approved by the department prior to the date the employment begins. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action. For the purposes of this policy, outside employment also includes self-employment.

1013.2 OBTAINING APPROVAL

(a) An employee shall complete an "Outside Employment Approval Request" obtained from Sheriff's Human Resources or accessed from the Sheriff's Intranet Document Library at: https://sheriffintranet/wp-content/uploads/2018/08/HR_SO-108_Outside_Employment_Approval_Request.pdf and submit all copies to their commander. The commander shall approve or deny the request.

1. If approved, the request shall be sent to the Sheriff's Human Resources Bureau where the Support Services Division Commander shall review the form and ensure its placement in the employee's personnel file.
2. If the request is denied, the form will be returned to the employee who will have the option of appealing the denial to his assistant sheriff. If approved by the assistant sheriff, the request shall be forwarded to the Sheriff's Human Resources Bureau for placement in the employee's personnel file. The decision of the assistant sheriff shall be final.
    (a) Any employee whose request has been denied shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

(b) Employees granted approval for outside employment shall resubmit the "Outside Employment Approval Request" form for renewal of approval:

1. Annually on January 1
2. Immediately upon any significant change in the specific duties outlined on the approved request; or
3. Upon change of assignment within the department.
4. Any employee engaging in outside employment shall immediately notify their division assistant sheriff, in writing, if outside employment terminates.

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1013.2.1 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment may be revoked or suspended under the following circumstances:

(a) Whenever a supervisor determines an employee's is performing below department standards, the division assistant sheriff may, or his designee at his or her discretion, revoke any previously approved outside employment. This revocation will remain in effect until the employee's substandard performance has been corrected.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) Whenever an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.

(d) Whenever an employee is unable to perform his or her regular duties due to an injury or other condition, any previously approved outside employment may be subject to similar restrictions. These restrictions will remain in effect until the employee is able to return to full duty.

1013.3 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the department expressly reserves the right to deny any outside employment when the employment:

(a) Involves the employee's use of departmental time, facilities, equipment (such as the department badge or uniform) or supplies, prestige or influence for private gain or advantage.

(b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee would be required or expected to render in the regular course duty as a member of this department.

(c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.

(d) Involves time demands that would render performance of the employee's duties for this department less efficient.

1013.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

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Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the area commander in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.

(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

(c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:

1. The deputy(s) shall wear the departmental uniform and appropriate identification.
2. The deputy(s) shall be subject to the rules and regulations of this department.
3. No deputy may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
5. Outside security services shall not be subject to the collective bargaining process.

1013.3.2 SPECIAL RESTRICTIONS

Except under emergency circumstances or with prior approval from the division commander, deputies assigned to narcotics or other covert details shall not work uniformed overtime or other assignments that may compromise the deputy's undercover status.

1013.4 DEPARTMENT RESOURCES

Employees are prohibited from using department equipment or resources in the course of or for the benefit of any outside employment. This shall include accessing official records or databases of this department or other law enforcement agencies through the use of the employee's status as a deputy sheriff or professional staff.

1013.5 POLICY VIOLATIONS AND DISCIPLINE

Any violation of this policy may result in the imposition of discipline up to and including termination as specified in county rules and ordinances and the Memorandum of Agreement (MOA) between the County of Ventura and the employee's respective union.

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Occupational Disease and Work-Related Injury Reporting

1014.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

1014.2 POLICY

The Ventura County Sheriff's Office will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

1014.2.1 INJURIES REQUIRING MEDICAL CARE

All work related injuries and work related illnesses requiring medical care must be reported to the Risk Management Office and a Worker's Compensation Claim Form (RM 135/DWC-1) shall be provided to the injured employee within 24 hours from the time the injury was discovered, excluding weekends and holidays. The Risk Management (RM-75 Form) and Worker's Compensation Claim Form (RM 135/DWC-1) are both available on the Sheriff's Intranet in one combined PDF document that can be filled out, saved, printed, and submitted automatically via email: https://sheriffintranet/wp-content/uploads/2018/08/HR_BU_1st_Report_of_Occupational_Injury-Illness.pdf

1014.2.2 CALOSHA NOTIFICATION

In Addition to completing the required documentation referenced above, CalOSHA regulations require that employers must report any serious injury/illness or fatality of an employee to Cal OSHA typically within eight (8) hours. To accomplish this notification, the Patrol Watch Commander must be notified for all work related serious injuries/illnesses or fatalities. Serious injury or illness is defined as any injury or illness requiring inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffered a loss of any member of the body or any serious degree of permanent disfigurement.

After determining whether the notification is warranted, the Patrol Watch Commander shall report the serious injury/illness or fatality to CalOSHA by contacting the Van Nuys Cal OSHA District Office at (818) 901-5403 and provide the below information:

A. Time and date of the accident event
B. Employer's name, address, and telephone number
C. Address of accident event site
D. Name of person to contact at accident event site
E. Nature of injuries
F. Location where injured employee(s) was/were taken for medical treatment

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G. List and identity of other law enforcement agencies present at the accident event site

H. Description of accident event and whether the accident scene or instrumentality has been altered

Upon completion of the CalOSHA notification, the area manager shall be notified along with an email authored to the Sheriff's Human Resources Benefits unit at: Sheriff-WC@ventura.org

1014.3 INJURY NOT REQUIRING MEDICAL ATTENTION

Those injuries and illnesses not requiring medical attention shall be recorded on a Supervisor's Report of Injury form. The form (linked below) shall be completed and signed by a supervisor.

https://sheriffintranet/wp-content/uploads/2021/01/HR_Supv_Rpt_of_Injury.pdf

This form shall be signed by the affected employee, indicating that he/she desired no medical attention at the time of the report. By signing this form, the employee will not preclude his/her ability to seek medical attention later.

1014.4 SETTLEMENT OF INJURY CLAIMS

Occasionally, an employee's work-related injury results from the negligent or wrongful acts of another, for which the employee, the county, and/or other insurers are entitled to recover civilly. To ensure that the county's interests are protected and that the employee has the benefit of the county's experience in these matters, the following procedure is to be followed:

1014.4.1 EMPLOYEE TO REPORT INITIAL CONTACTS

When an employee sustains work-related injuries caused by another person and is then approached by such person or an agent, insurance company, or attorney and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to his/her supervisor as soon as possible.

1014.4.2 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than ten (10) days prior to accepting and finalizing the settlement of any third party claim arising out of or related to an on duty injury, the employee shall provide the Sheriff with written notice of the proposed terms of such settlement. In no case shall the employee accept a settlement without first providing such written notice to the Sheriff. The purpose of such notice to permit the county to determine whether or not the offered settlement will affect any claim the county may have regarding payment for damage(s) to equipment or reimbursement for wages against the person who caused the accident or injury and to protect the county's right of subrogation, while ensuring that the employee's rights to receive compensation for injuries are not affected.

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Personal Appearance Standards

1015.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department, all department members shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment. Any member assigned to specialized investigative units shall be subject to grooming standards as determined by the Division Assistant Sheriff.

1015.2 GROOMING STANDARDS

It is imperative that all employees of this department conform to the highest standard of personal grooming.

All members of the department shall conform to the grooming standards established in this policy. Any member seeking a cultural or religious accommodation to these requirements shall submit their request to Human Resources for consideration by the Support Services Assistant Sheriff.

1015.2.1 HAIR

Hairstyles of all members shall be neat in appearance.

Male sworn members shall keep their hair neat, clean and properly trimmed. The hair shall be moderately tapered, shall not extend below the top of the collar, nor cover any portion of the ear. Color shall be limited to naturally occurring shades. The hairstyle shall not interfere with the proper wearing of the uniform headgear, nor shall it interfere with the vision in any way.

Male professional staff and volunteers in uniform shall abide by the same hair grooming standard as male sworn members.

Male professional staff members who do not wear uniforms shall maintain their hair in a conservative business/professional style. This includes not wearing hair that fully extends past the collar and/or that completely covers the ears. Colors shall be limited to naturally occurring shades.

Female sworn members shall keep their hair in a conservative, neat, contemporary fashion. Color shall be limited to naturally occurring shades. Ornamentation and fasteners (pins, clips, bands, etc.) shall be demure in color, style and size. On-duty uniformed female sworn members whose hair falls below the shoulder line shall secure their hair up, off the collar. Ponytails are not allowed except when worn above the collar. The hairstyle shall not interfere with the proper wearing of the uniform headgear, nor shall it interfere with the vision in any way.

Female professional staff members, both uniformed and non-uniformed, shall keep their hair in a conservative, neat, and contemporary fashion. Color shall be limited to naturally occurring shades.

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1015.2.2 MUSTACHES

A short, neatly trimmed and of natural color mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip. The mustache may not extend to the side of the mouth more than one-half inch beyond the corners of the mouth.

Male professional staff members, both in and out of uniform, shall abide by the same mustache requirement.

1015.2.3 SIDEBURNS

Sideburns shall not extend beyond the point even with the bottom of the ear lobe and shall extend in a clean-horizontal line. The flare (terminal portion of the sideburns) shall not exceed the width of the main portion of the sideburns by more than one fourth of the unflared width. The sideburns shall be trimmed and neat in appearance.

1015.2.4 FACIAL HAIR

For male sworn members and male professional staff in uniform, facial hair other than sideburns, mustaches, and eyebrows shall not be worn, unless authorized by the Sheriff or designee. Beards shall be permitted only for medical reasons or when authorized due to the nature of assignment. Neatly trimmed beards and goatees are permissible for male professional staff members not wearing uniforms.

1015.2.5 FINGERNAILS

Male sworn members and professional staff members shall wear their fingernails short and neatly trimmed. Only clear fingernail polish is permitted.

Female sworn members shall not wear fingernails which extend more than 1/4 inch from the tip of the finger. Fingernails shall not be so long that they interfere with the performance of job duties, present a safety hazard or interfere with the safe drawing of the service weapon.

Both uniformed and non-uniformed professional female staff members shall not wear fingernails so long that they interfere with the performance of job duties, draw undue attention, or are out of the norm of a professional/conservative business appearance. Female staff members wearing colored fingernail polish shall use conservative shades, without decals or ornamentation, and it shall not detract from the uniform or a business-like appearance.

1015.2.6 JEWELRY AND ACCESSORIES

Male sworn members and professional staff members shall not wear earrings unless authorized for their assignment or approved by the Sheriff or designee.

Uniformed female sworn members may wear one small earring, no larger than 5mm or 3/16 inches in diameter in each ear while on-duty.

Female professional staff members may wear one pair of earrings that are conservative and business-like in appearance that do not interfere with job duties. Multiple earrings in the same ear are not permitted

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Employees should evaluate the wearing of any ornamentation against the possible safety hazard they represent and the possibility of such items being lost or damaged during the course of duty.

1015.3 TATTOOS

This policy applies to all sworn members, all uniformed professional staff members, and professional staff members who interact with the public. If there is a question as to whether the position you occupy involves public Interaction, it is advisable that you obtain clarification from your division commander prior to obtaining visible tattoos.

All department members hired after June 3, 2008 are prohibited from displaying tattoo(s) while on duty or representing the department in any official capacity. Members employed as of May 13, 2008 were granted a limited exemption for their existing tattoos if they complied with the provisions of Section 1044.3.1 outlined below**.** Any visible tattoo(s) they obtained after the exemption date of June 3, 2008 are subject to the existing restrictions that apply to all current department members:

Any current members with existing tattoos that are visible shall have the following options:

(a) Wear a long sleeve uniform shirt;

(b) Cover with a skin tone patch or make-up;

(c) Have the tattoo(s) or brand(s) removed at the employee's expense;

1015.3.1 PREVIOUS TATTOO EXCEPTION PROCEDURES (HISTORICAL REFERENCE)

All department members who wished to seek an exception to the requirements set forth in this policy were required to adhere to the following procedure:

(a) Those members employed as of May 13, 2008 with existing tattoos were granted an exception if they made an appointment with the Human Resources Sergeant to have the tattoo(s) photographed and documented no later than June 3, 2008. The photograph and documentation was placed in the members personnel file for future reference.

1015.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.

(b) The complete or transdermal implantation of any material other than hair replacement.

(c) Abnormal shaping of the ears, earlobes, eyes, nose or teeth

(d) Branding or scarification.

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Uniform Regulations

1016.1 PURPOSE AND SCOPE

The uniform policy of the Ventura County Sheriff's Office is established to ensure that uniformed deputies will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

- Department Owned and Personal Property (Chapter 7)
- Body Armor (Chapter 10)
- Personal Appearance Standards (Chapter 10)

1016.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Sheriff's employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment (Penal Code § 13655).

(d) The uniform is to be worn in compliance with the specifications set forth in the department’s uniform specifications that are maintained separately from this policy.

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

(h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.

(i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.

(j) Mirrored sunglasses will not be worn with any Department uniform.

(k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Sheriff or the authorized designee.

1. Wrist watch

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2. Wedding ring, class ring, or other ring of tasteful design. A maximum of one ring/ set may be worn on each hand
3. Medical alert bracelet

1016.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Deputies working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1016.3 GENERAL PROVISIONS

(a) The Support Services Assistant Sheriff, or designee, and/or designated committee, may be selected to provide input to the process of modifying, correcting, updating or changing this policy. Representatives from all divisions should be selected to serve on the committee.

(b) Every sworn member of the department shall maintain a dress uniform.

(c) The Support Services Assistant Sheriff shall inspect and give final approval for use of any uniform article(s). Uniform articles shall include apparel and equipment.

(d) Uniformed personnel shall wear the full uniform specified for their particular rank or assignment and shall not wear the part(s) of any other uniform. Assistant Sheriffs' may make exceptions when the exigencies of local conditions warrant a temporary change.

(e) No part of the uniform, which would identify the wearer as a member of the department or display association with the department, shall be worn in a non-official capacity.

(f) Bureau commanders, managers, and supervisors shall be responsible for the daily appearance of the members under their command.

(g) Uniforms and equipment shall be maintained in a clean and serviceable condition at all times. Uniform articles shall be replaced when they are so worn or damaged that they no longer present an acceptable appearance or do not meet the required specifications. Leather gear and shoes shall be maintained in such a manner that they are clean and well polished.

(h) The uniform shall be worn in a military manner. Apparel items shall be tailored to fit the individual's physique, buttons shall be secure, and pockets shall be free of obvious bulges or protrusions.

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(i) Jewelry or personal ornaments shall not be affixed to or worn with any part of the uniform. Jewelry includes earrings, necklaces, bracelets, visible body piercings, and large conspicuous rings. Uniformed female employees may wear one small, single post stud earring, no larger than 5 mm. or 3/16-inch in diameter, in each ear.

(j) The gun belts and accessories listed as issued equipment in Addendum B are approved as a lightweight gear. Nylon gun belts and accessories are no longer authorized for wear by Patrol personnel except in specialized assignments when specifically authorized.

(k) A change of this uniform regulation requiring a replacement of apparel or equipment shall be subject to a specified transition period. The transition period may be extended if budget constraints or current inventories prohibit cost effectiveness.

(l) Bureau commanders, with the approval of the respective bureau assistant sheriff, may authorize uniforms for general employees and/or specific units under their command within the constraints of this policy. Uniform requests outside this policy shall require final approval of the Support Services Assistant Sheriff, prior to implementation. Every effort should be made to utilize color schemes of uniforms already approved to ensure uniform continuity within the department. All uniform approvals will be outlined in the respective division policy and procedures manual.

1016.4 OFFICIAL UNIFORMS

1016.4.1 FORMAL UNIFORMS

The dress uniform is used for formal or ceremonial occasions, or for any event where the dress uniform is specified. The dress uniform shall consist of the following apparel and equipment articles. The wearing of uniform articles not specifically identified herein is prohibited.

(a) Apparel Articles

1. Soft Cap

    (a) The cap shall be worn complete with the ornamental cap piece issued by the department.

    (b) The rank of commander and assistant sheriff shall have a visor embroidered on chrome dyed black broadcloth to be overlaid with eight leaves and five acorns of shaded gold bullion on each side of the visor. The same type of design as approved by the U.S. Marine Corps for field grade officers shall be used.

2. Jacket

    (a) The wearing of the dress jacket is optional; however it may be required on a case by case basis for command level members if deemed appropriate by the Sheriff.

    (b) The rank of commander and assistant sheriff shall possess and maintain a dress jacket. For the rank of commander and above, the

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departmental stripe shall be the solid gold braid. For all other personnel, the departmental stripe shall be blue, bordered with gold piping. The departmental stripe shall be sewn on both sleeves of the uniform dress jacket.

(c) The department stripe shall be sewn with the top of the uppermost stripe-edge 4 inches from the ned of the jacket sleeve. Additional stripes (described below) associated with rank shall be sewn between the departmental stripe and the end of the jacket sleeve.

1. In addition to the solid gold braid, the following shall be worn on command level jackets;

(a) The rank of commander shall wear a single 1/2 inch double vellum gold braid.

(b) The rank of assistant sheriff shall wear two 1/2 inch double vellum gold braids, separated by a space of 1/4 inch.

(c) the rank of undersheriff shall wear three 1/2 inch double vellum gold braids; separated by a space of 1/4 inch.

(d) The Sheriff shall wear a single 2 inch double vellum gold braid.

3. Shirt

(a) The long sleeve field uniform shirt shall be worn complete with identification items, tie and tie bar. The long sleeve wash and wear field uniform shirt is not approved as part of the dress uniform. Academy staff is authorized to wear a white foulard through the right shoulder epaulet for special events.

4. Gloves

(a) The only gloves approved for use with a dress uniform are issued by the department to members of the Honor Guard and academy staff. The gloves shall be white or black (color determined by event).

5. Skirt

(a) The length of the skirt shall be no shorter or longer than 2 inches from the center of the knee.

6. Trousers

(a) The dress/field uniform trouser specifications shall apply.

(b) Trouser belt: The field uniform trouser belt specifications shall apply.

(c) Ceremonial belt: Members of the academy staff are authorized to wear a white belt over the trouser belt. The only white belt approved for use is issued by the department.

7. Socks

(a) Socks shall be solid black with no ornamentation.

8. Footgear

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(a) With trousers: Black laced oxford dress shoes capable of maintaining a polished appearance.

(b) With skirts: Plain black leather or black patent leather closed toe shoes with a heel no higher than 1-1/2 inches.

9. Equipment Articles

(a) The dress uniform equipment specifications shall include: weapon and holster, handcuffs and handcuff case, ammunition magazines and case, keepers, and key fob.

1016.4.2 FIELD UNIFORM

The field uniform shall be worn when performing patrol duties or other uniform required assignments unless otherwise directed by the respective assistant sheriff. The field uniform shall consist of the following apparel and equipment articles. The wearing of uniform articles not specifically identified herein is prohibited.

(a) Apparel Articles

1. Helmet - The only helmet approved for use is issued by the department. It shall be carried at all times while on patrol.

2. Duty Hats

(a) The campaign hat may be worn as part of the Field Uniform.

(b) A green baseball-style hat (as described in Addendum A) may be worn by patrol personnel during special assignments where personnel may be exposed to the sun for an extended period of time.

(c) A black or olive green knit beanie style cap (as described in Addendum A) may be worn by personnel where they may be exposed to cold temperatures, below 50 degrees Fahrenheit, for an extended period of time. The cap may be worn with no lettering or with the embroidered word "Sheriff" centered to the front of the head and the black Under Armour logo worn to the back. The cap shall be removed when indoors.

(d) Female deputies may wear a black or olive green knit style headband where they may be exposed to cold temperatures, below 50 degrees Fahrenheit, for an extended period of time. The headband shall be free of any embroidery, emblems, or patterns, and shall be removed when indoors.

(e) Academy staff and deputy sheriff trainees are the only members authorized to wear the soft cap with the field uniform.

3. Jackets (Nightwear and Lightweight)

(a) The jacket shall be worn with complete identification items, which includes departmental shoulder patches, badge, nameplate, rank insignia and classification patches as applicable. Female deputies may wear the

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optional mid-size chevron (sergeant, senior deputy) rank insignia. Service stars are optional.

(b) The department issued metal badge and metal nameplate shall be worn on the outermost article of the dress and field uniform shirt and jacket.

(c) The department issued metal badge shall be worn on the outermost article of the dress and field uniform (shirts, jackets, or raincoats).

(d) Badge and nametag patches may be worn instead of the metal badge and nameplate. The badge shall have the same coloring as the metal badge and the nametag shall be olive green in color with gold embroidered lettering.

4. Load Bearing Vests

(a) Two vests are approved in a ranger green color- TGS Patrol Tactical from BDS Tactical and Bothel from Safariland.

(b) A cloth badge or a flexible PVC style badge by Ghost Patch Customs may be worn instead of a metal badge.

(c) A Hero's Pride flag patch is approved for load bearing vests. The patch must be affixed to the right shoulder area and must measure 2 1/2" x 1 1/2".

(d) A Blauer armorskin base shirt in silver tan may be worn under a load bearing vest in short sleeve (model #8372) or long sleeve (model #8371).

(e) Shirts

(a) The long or short sleeve shirts are approved for use.

(b) Long Sleeve With Tie "Dress Uniform" specifications will apply to the long sleeve field uniform, except:

(a) The soft cap is prohibited;

(b) The excluded Sam/Sally Brown equipment items outlined under the dress uniform description are allowed.

(c) The long or short sleeve shirt may be worn with an open collar exposing a clean black "crew neck" style short sleeve undershirt. The shirt shall be worn with complete identification items, which include departmental shoulder patches, shoulder loop(s) (FTO's, JTO's, SST's and Academy Staff only), name plate, metal badge, rank insignia, shooting badge, specialized assignment insignia/pin and classification patches, as applicable. Female deputies may wear the optional mid-size chevron (sergeant, senior deputy) rank insignia.

(d) The long sleeve shirt may also be worn with an open collar exposing a black turtleneck. The black turtleneck must be black in color and contain no stitching, writing or insignias.

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(e) The long sleeve shirt may be worn without service stars; however, every sworn employee shall maintain one long sleeve shirt with service stars for ceremonial events. The wash and wear long sleeve shirt is not approved for ceremonial events.

(f) The standard military crease shall be pressed into the front and back of the garment. The approved wash and wear shirt shall have sewn in creases. The front shall have a single vertical crease through the center of each breast pocket continuing from the collar seam to the tail. The back shall have three single vertical creases continuing from the lower yoke seam to the tail. The creases shall divide the back section, side seam to side seam, into four equal parts.

(f) Gloves

1. Gloves, which are solid black with no ornamentation, may be worn.

(g) Trousers

(a) The trousers shall be worn on the outside of the footgear. A vertical crease shall be pressed into the front and rear of the trouser legs, midway between the inseam and outseam continuing from the bottom of the front pocket opening to the foot opening. Flares shall be within the limits specified in the Addendum A. Cuffs are prohibited.

(b) The wash and wear First Tactical V2 Pro Duty Uniform pants may be worn as a Class B uniform option.

(h) Trouser Belt

(a) The only belt approved for use is issued by the department. The belt shall be secured by a "Velcro" fastener or an optional chromium buckle.

(i) Socks

(a) Socks shall be solid black with no ornamentation. White socks may be worn with boots, provided no part of the fabric is visible.

(j) Footgear

(a) Footwear shall consist of solid black boots with a defined heel and plain round toe. The upper shall be constructed of full-grain leather or a durable leather-simulated material with a smooth, polished appearance. Boots must be of a style that provides ankle support and is suitable for tactical or patrol operations. Athletic shoes, high-top sneakers, or hybrid footwear designed primarily for recreational or casual use are not authorized for wear with the patrol uniform. Any deviations from this standard must be pre-approved in writing by the Support Services Assistant Sheriff or designee.

(b) Boots may be of either lace or pullover style. Oxfords shall be of lace style.

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(c) Footgear With Skirts: Plain black leather or black patent leather closed toe shoes with a heel no higher than 1-1/2 inches.

(d) Any footgear that is significantly different than that described shall require the approval of the Support Services Assistant Sheriff.

(k) Raingear

(a) The only raingear approved for use is issued by the department.

Equipment Articles the field uniform equipment mandatory to wear while working uniformed patrol shall include:

(a) Weapon and Holster

1. Firearm and Ammunition

(a) The only firearm and ammunition approved for use are issued by the department. Personal weapons, which comply with the provisions of the policy entitled "Firearms - Optional Weapons and Accessories", may be used as a substitute.

2. Gun Belt

(a) The only belts approved for use are issued by the department, and shall be black basketweave. Female deputies may wear the "Sally Brown" style.

3. Holster

(a) The only holster approved for use is issued by the department, except holsters used in compliance with the Policy entitled ""Firearms - Optional Weapons and Accessories"

4. Ammunition Magazines and Carriers

(a) The only ammunition magazine carriers approved for use are issued by the department, except those authorized in the policy entitled "Firearms - Optional Weapons and Accessories" (Policy# 312.2.2) and the Firearms List/Approved Firearms Equipment List/Magazine Carrier.

(b) Magazine carriers can have the capacity for two, three or four magazines. Black basket weave design with friction fit or covered flap for retention of the magazine.

5. TASER and Holster

(a) The only TASER and holster approved for use is issued by the department. The optional drop down holster for the TASER will be issued to employees with the approval of their bureau commander. Every effort should be made to utilize the Blade Tech model holster issued or authorized by the department.

6. Chemical Agent and Holder

(a) The only chemical agent and holder approved for use are issued by the department.

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7. Body Armor (vest)
    (a) The only protective vests approved for use are issued by the department, except vests, which equal or exceed the quality of those issued.
8. Portable Radio and Case
    (a) The only portable radio and case approved for use are issued by the department.
9. Handcuffs and Handcuff Case
    (a) The only handcuffs approved for use are issued by the department except handcuffs, which equal or exceed the quality, function and style of those issued. No more than two pairs of handcuffs shall be carried on the person. Each pair shall be secured in a closed case.
    (b) The only handcuff case approved for use is issued by the department. The carrying of two pairs of handcuffs shall require a second closed case identical to departmental issue, or one double closed case of equal quality and design.
10. Tape Recorder and Case
    (a) The Support Services Assistant Sheriff must approve all tape recorder cases that are worn as equipment on the gun belt.
11. Keeper Straps
    (a) The only keeper straps approved for use are issued by the department. Four straps shall be proportionately placed around the gun belt to secure it to the inner trouser belt.
12. Key Strap And Ring
    (a) The only key strap and ring approved for use are issued by the department.
13. Whistle
    (a) The only whistle approved for use is issued by the department except whistles, which equal or exceed the quality and function of those issued. The whistle shall be worn on the key strap ring.
14. Baton and Holder
    (a) The only baton and holder approved for use are issued by the department.
    (b) An optional straight stick baton, which complies with the provisions of the memorandum titled "OPTIONAL BATON" dated August 16, 2000, may be used as a substitute.
    (c) It is not mandatory to carry the issued baton or optional baton while working uniformed patrol; however, if the issued baton or optional baton is not worn, it shall be kept in the patrol vehicle for accessibility.
15. Knife

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(a) One folding blade knife secured in a closed case may be carried on the gun belt or alternatively on a clip-style foldingblade knife may be carried inside a trouser pocket secured to the pocket by the attached clip.

16. Flashlight

A. Any flashlight may be carried that meets the requirements listed in Addendum B.

17. Body Worn Camera

(a) The only body worn camera approved for use is the TASER Axon Body, which is issued to all personnel working in patrol related assignments, including traffic enforcement and school resource officers.

(b) Refer to this policy and Addendum "B" for specifications on approved equipment articles.

(c) Detention Services personnel shall wear uniform equipment per detention services division or facility policy.

1016.4.3 OPTIONAL UNIFORMS

(a) Apparel Articles

1. Utility Uniform

(a) The Utility Uniform may be worn as a replacement for the Field Uniform based upon the working conditions and environment personnel may be exposed to (i.e. inclement weather, natural disasters, inmate work crew assignments, etc.). Wearing of the Utility Uniform requires the approval of the respective Assistant Sheriff or their designee. Permanent or extended wearing of the Utility Uniform not specific within this policy requires the approval of the respective division Assistant Sheriff. The Watch Commander may authorize the wearing of the Utility Uniform for patrol personnel during periods of inclement weather.

(b) The Utility Uniform shall be the approved uniform worm by Detention Services personnel, including HOJ. Detention Services personnel who interact frequently with the public (over 50% of their time) shall wear the Field Uniform. Transportation and Courts are not authorized to wear the Utility Uniform without the approval of the respective Assistant Sheriff or their designee.

(c) The Utility Uniform shall be the approved uniform worn by Sheriff's Records and Central Inmate Records personnel; however a plain leg pant will replace the cargo pant.

2. Hats

(a) A green baseball-style hat or a black or olive green knit beanie style cap or headband (as described in Addendum A) may be worn in authorized specialized assignments and by patrol personnel during inclement weather or natural disasters.

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(b) General member uniformed personnel may wear the authorized green baseball-style hat, knit beanie style cap, or headband when working conditions makes it necessary to provide them with protection from the sun or inclement weather when approved by the respective division Commander or Assistant Sheriff.

(c) SST's and sworn personnel assigned to Detention Services working an outside assignment may wear a large brimmed hat for sun protection as approved by the respective Commander or Assistant Sheriff.

(d) The authorized baseball-style hat and black knit cap are considered a part of the department's uniform and therefore not authorized to be worn in an official capacity.

3. Shirts

(a) The long or short sleeve "wash and wear" fabric shirts are approved for use. The shirt shall have pressed or sewn-in pleats simulating the pressed crease design as described in the specifications for the Field Uniform shirts. The shirt shall be worn with complete identification items, which include department shoulder patches, name plate, metal badge, rank insignia, shooting badge, specialized assignment pin and classification patches, as applicable. Female deputies may wear the optional mid-size chevron (sergeant or senior deputy) rank insignia. The shirt shall be worn with an open collar exposing a black"crew-neck" style undershirt.

4. Trousers

(a) The trousers shall be worn on the outside of the footgear. A vertical crease shall be pressed into the front and rear of the trouser legs midway between the inseam and out seam continuing from the bottom of the front pocket opening to the foot opening. Cuffs are prohibited. The only style of "wash and wear" trouser approved for use in non-specialized assignments and Detention Services is an OD green, six-pocket "cargo pant" style, fabric blend of polyester/cotton twill trouser (as described in Addendum A). This trouser is not approved for routine patrol.

(b) The only style of "wash and wear" trouser approved for use in Sheriff's Records and Central Inmate Records is an OD green, four-pocket "plain pant style", fabric blend of polyester/cotton twill (as described in Addendum A).

5. Jacket, Trouser Belt, Footgear, Raingear

(a) The Field Uniform Specifications shall apply

(b) Equipment Articles

1. The Field Uniform equipment specifications shall apply.

1016.4.4 PLAINCLOTHES (NON-UNIFORM)
Apparel Articles

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(a) Attire

1. Non-uniform attire is generally worn when assigned to a position in administrative or investigative services. A business appearance is required in keeping with community standards for professionals. The provisions set forth herein shall apply to court appearances unless the field uniform is worn.
2. The special duty uniform or utility uniform may be worn by plainclothes personnel during call-outs or search warrants where the wearing of business attire would not be practical. Plainclothes personnel are discouraged from responding to call-outs or search warrants in casual attire.
3. Attire, as used herein, shall include all personal items worn with non-uniform apparel.
4. Attire must be color coordinated and conform in style to dress prevalent in the local professional business community.
5. Male officers shall wear a necktie unless express exception has been granted by the respective bureau commander.
6. Shoes shall be of a coordinated dress style with a design and construction, which does not limit the performance of duties. Sandals and canvas types are prohibited.
7. The apparel shall conceal the weapon and ammunition from public view.

(b) Equipment Articles

1. The wearing of equipment articles not specifically identified herein is prohibited.
    (a) Firearm and Ammunition
        1. The only firearm and ammunition approved for use are issued by the department. Personal weapons, which comply with the provisions of the policy entitled "Firearms and Qualification," section "Optional Firearms and Accessories," may be used as a substitute.
    (b) Holster
        1. The only holster approved for use is issued by the department except holsters used in compliance with the policy entitled "Firearms and Qualification," section "Optional Firearms and Accessories."
    (c) Cartridge Case
        1. Ammunition shall be secured in a case. Case design shall be subject to approval of the bureau commander.
    (d) Handcuffs
        1. The only handcuffs approved for use are issued by the department except handcuffs, which equal or exceed the quality, function and style of those issued.
    (e) Handcuff Case

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1. Handcuffs may be carried in the trouser waistband or secured in a case. Case design shall be subject to approval of the bureau commander.
2. The only key strap approved for use is issued by the department. Non-issue key retainers shall be subject to approval of the bureau commander.

(f) Badge and Identification Cards

1. The badge and identification cards issued by the department shall be carried at all times while on duty and displayed above the waist at all times within the facility if not in uniform.

1016.4.5 SPECIALIZED UNIT / SPECIAL ASSIGNMENT UNIFORM (SWORN ONLY)

(a) Apparel Articles

1. Uniform

(a) Specialized units or technical assignments within the organization may require unique apparel and/or equipment. The respective commander and assistant sheriff shall approve all articles for special duty uses. Special duty uniforms and equipment shall also require the approval of the Support Services Assistant Sheriff or the Sheriff.

(b) The approved special assignment uniform may be authorized to be worn during a special assignment as a replacement for the field uniform with the approval of the respective division commander and assistant sheriff. Under no circumstances is this uniform authorized for regular patrol duties.

2. Hat

(a) A green baseball-style hat or a black or olive green knit beanie style cap or headband (as described in Addendum A) are authorized to be worn with this uniform with the approval of the respective division commander and assistant sheriff.

3. Shirts

(a) A short sleeve polo shirt is the authorized shirt (as described in Addendum A). The shirt shall have an embroidered badge, deputy's name (first initial, last name) embroidered on the right chest, embroidered shoulder patches on each sleeve, and "SHERIFF" silk screened on the back.

4. Trousers

(a) Specialized Unit Assignments: The same trouser as authorized for the utility uniform (as described in Addendum A).

(b) The Mounted Enforcement Unit may wear green jeans (as described in Addendum A) for assignments and training.

5. Shorts

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(a) The Bike Detail is the only detail authorized to wear shorts (as described in Addendum A).

6. Jacket, Trouser Belt, Socks, Footgear, Rain gear

(a) The field uniform specifications shall apply.

(b) Equipment Articles

1. The field uniform equipment specifications shall apply. The wearing of the Sam/ Sally brown may be optional in certain assignments.

1016.4.6 PROFESSIONAL STAFF

(a) A long or short sleeve polo shirt is the only authorized polo shirt to be worn (as describe in Addendum A). The shirt shall have an embroidered Sheriff's star with overlapping County of Ventura seal or City seal, depending on the assignment. "Ventura County Sheriff" shall be embroidered in a semi-circle over the star and seal. The name of the assignment (i.e., Human Resources, Training Center, Ojai P.D., etc) shall be embroidered under the star and seal. The member's name (first initial and last name) shall also be embroidered on the right chest area. No shoulder patches on the sleeves or stenciling on the back.

(b) Color coordinating pants/trousers shall be worn with the polo shirt. Colored or blue jeans are not acceptable styles to be worn.

(c) Shoes shall be of a coordinated dress style with a design and construction, which shall not limit the performance of duties. Sandals and canvas types are prohibited.

(d) Female professional staff uniformed employees are permitted to wear a uniform skirt in lieu of trousers.

1016.5 COURTROOM ATTIRE

Clothing worn by department personnel, including employees in "specialized assignments" (i.e. narcotics, intelligence), shall present a professional image and shall be acceptable in any business office environment.

Attire shall conform to the following:

(a) Male Employees:

1. A business suit or a sport coat with coordinated dress slacks, dress shirt, necktie and dress shoes. "Dockers", "patch pocket" pants or similar trousers are not acceptable. Earrings shall not be worn. Uniformed employees may elect to wear their daily use uniform. It shall be clean and in serviceable condition.

(b) Female Employees:

1. A dress suit, skirt or pants with a coordinated blouse, sweater or jacket and dress footwear. Uniformed employees may elect to wear their daily use uniform. It shall be clean and in serviceable condition.

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1016.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Sheriff, Ventura County Sheriff's Office employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Ventura County Sheriff's Office to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1016.7 SHERIFF'S SERVICE TECHNICIAN, TECHNICAL COMMUNICATION SPECIALIST AND RECORDS SPECIALIST BADGE

The badge is approved only for on-duty use and shall be worn attached to the existing eyelet badge holder of the authorized uniform shirt or field uniform jacket. The badge shall be worn on the outermost garment.

A service technician working a non-uniformed assignment may wear the badge displayed on a belt clip holder. The badge holder shall be provided at individual expense and shall be of a type approved for use by the department.

The badge shall not be displayed or presented as personal identification under any circumstances when off-duty.

1016.7.1 RETIREE BADGES

The Sheriff may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Ventura County Sheriff's Office (This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retiree Concealed Firearms Policy in this manual).

A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the word "Retired" clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Ventura County Sheriff's Office and will be revoked in the event of misuse or abuse (Penal Code § 538d).

1016.8 SPECIALIZED UNIT INSIGNIAS / PINS / MEDALS

Specialized units or collateral assignment details desiring a pin representing that unit or detail must receive prior authorization from the Support Services Assistant Sheriff before wearing the pin.

Personnel may only wear one pin at a time on their uniform. Personnel working one of these units/assignments for five or more years may continue to wear the pin after they leave the

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unit/assignment. When possible, future pins should be designed to match the existing "Cluster Style" pin and are to be worn on the outside of the right shirt pocket flap.

Samples of the pins will be maintained on file with the Uniform Committee Captain:

- All specialized units or collateral assignment details pins will be worn on the right side of the shirt's right pocket flap.
- The only exception shall be the SWAT pin, which shall be worn in lieu of the shooting badge on the left side of the shirt's right pocket flap.
- Medal of Valor/Merit pins are to be worn on the right side of the shirt's right pocket flap. If a member has been awarded more than one medal, all may be worn lined together.
- The only authorized U.S. flag pin to be worn on the uniform is 1/2" H x 1/2" W and shall be worn centered on the shirt's left pocket flap directly below the badge.

1016.9 MOURNING RIBBONS

The black ribbon worn over each member's badge is a visible display of respect and reverence. The following guidelines are being provided as a standard reference for all department members:

(a) Sheriff's Administration will notify members and authorize the wearing of the mourning ribbon. Black cloth ribbon or black elastic, approximately 5/8 inch wide, will be worn as illustrated below:

(b) Ribbon is placed diagonally across Badge in direction from chin to elbow.

(c) Due to shape of the shield style badge, ribbon must be placed horizontally across badge. Ribbon needs to be placed in the middle of the shield so that it does not fall off.

(d) If a general employee is not issued a badge on which to put a mourning ribbon they may wear the mourning ribbon over their department issued ID card. The mourning ribbon shall extend across the face of the ID card from side to side and cover the center portion of the Sheriff's star printed on the ID card. The mourning ribbon should not cover the employees name, photo or title.

1016.10 ADDENDUM A (APPAREL SPECIFICATIONS)

APPAREL SPECIFICATIONS

ADDENDUM "A"

BADGE '" Sworn (Issued)

Brand: Entenmann-Rovin Company

Model: 690 (six-point convex)

Color: Gold Tone

Material: Metal Alloy

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Style and Construction: 14K like gold tone with dark blue lettering, light blue/dark green/red background, face of the badge shall have inscribed an inner concentric circle within shall appear the words "DEPUTY SHERIFF" and "VENTURA COUNTY", a panel designating rank shall be affixed when applicable, secured by pin and catch.

BADGE '" Sheriff Service Technicians, Technical Communications Specialists and Records Specialists (Issued)

Brand: Entenmann-Rovin Company

Model: Style #153 (Dome)

Color: Carlton Gold

Material: Metal Alloy

Style and Construction: Yellow brass tone with dark blue lettering. The face of the badge shall have an Eagle's head and wings at the top. Inscribed below the head is the specification job classification (i.e., SERVICE TECHNICIAN), then the words "VENTURA COUNTY" inscribed over the Ventura County seal and the words "SHERIFF'S DEPT." inscribed under the Ventura County seal, badge number at the bottom. Badge is secured by a pin and catch.

CLOTH BADGE '" Sworn (Issued)

Brand: Star Emblems

Model: Simulated Entenmann-Rovin #690 "C"

Color: Yellow

Material: Solid embroidered cloth with thermoplastic backing, threads to be high tenacity fast-dye rayon of a denier suitable to the detail, certified washable.

Style and Construction: Yellow color with dark blue lettering, light blue/dark green/red background, face of the badge shall have inscribed an inner concentric circle within shall appear the words "DEPUTY SHERIFF" and "VENTURA COUNTY".

The badge shall be worn centered over the left breast pocket with the point of the bottom ray 1/2-inch above the top of the pocket. A line drawn horizontally through the center of the two opposing side points shall be parallel to the top edge of the pocket.

(NOTE: Memorandum SS ADM 85-8 modified the 1/2-inch requirement to include affixing the badge to the location of the existing two-eyelet badge holder).

The badge shall be sewn to the garment around the outer edge with a good quality yellow silk or rayon thread. No cross-stitching shall be permitted.

EMBROIDERED BADGE (Sworn)

Brand: Approved Vendor

Model: Simulated Entenmann-Rovin #690 "C"

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Color: Gold

Material: Solid embroidered cloth with thermoplastic backing, threads to be high tenacity fast-dye rayon of a denier suitable to the detail, certified washable.

Style and Construction: Gold color with dark blue lettering, light blue/dark green/red background, face of the badge shall have inscribed an inner concentric circle within shall appear the words "DEPUTY SHERIFF" and "VENTURA COUNTY".

The badge shall be embroidered centered over the left breast pocket with the point of the bottom ray 1/2-inch above the top of the pocket. A line drawn horizontally through the center of the two opposing side points shall be parallel to the top edge of the pocket.

(NOTE: Memorandum SS ADM 85-8 modified the 1/2-inch requirement to include affixing the badge to the location of the existing two-eyelet badge holder).

CLASSIFICATION PATCH '" SHERIFF SERVICE TECHNICIAN

Brand: National Emblems

Color: Royal blue, gold

Material: Solid embroidered cloth with thermoplastic backing. Threads to be of a high tenacity fast-dye rayon of a denier suitable to the detail.

Style and Construction: The patch shall be semi-circular in shape, 3/4-inch wide and a straight line drawn between the two opposing bottom end points shall measure 3 7/8 inches. The inside edge curvature of the patch shall conform to the outside edge curvature of the shoulder patch. The background shall be royal blue with the wording "SERVICE TECH" embroidered in gold, capital block style lettering 3/8-inch high, 1/8-inch black merrowed border.

The patch shall be worn on each sleeve of the shirt and jacket. It shall be centered 1/2-inch below the bottom edge of the shoulder patch.

The patch shall be sewn to the garment around the outer edge with a good quality black silk or rayon thread. No cross-stitching shall be permitted.

CLASSIFICATION PATCH '" CADET

Brand: National Emblems

Color: Royal Blue, gold

Material: Solid embroidered cloth with thermoplastic backing, threads to be high tenacity fast-dye rayon of a denier suitable to the detail.

Style and Construction: The patch shall be rectangular in shape, 3 inches in length and 1-3/4 inches wide, royal blue background with wording "CADET " embroidered in gold, capital block style lettering 1/2-inch high, 1/8-inch wide merrowed black border.

The patch shall be worn on each sleeve of the shirt and jacket. It shall be centered 1/2-inch below the bottom edge of the shoulder patch.

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The patch shall be sewn to the garment around the outer edge with a good quality black polyester or rayon thread. No cross-stitching shall be permitted.

CLASSIFICATION PATCH '" TECHNICAL COMMUNICATIONS PATCH

Brand: National Emblems

Color: Royal blue, gold

Material: Solid embroidered cloth with thermoplastic backing. Threads to be of a high tenacity fast-dye rayon of a denier suitable to the detail.

Style and Construction: The patch shall be semi-circular in shape, 3/4-inch wide and a straight line drawn between the two opposing bottom end points shall measure 3 7/8 inches. The inside edge curvature of the patch shall conform to the outside edge curvature of the shoulder patch. The background shall be royal blue with the wording "COMMUNICATIONS" embroidered in gold, capital block style lettering 3/8-inch high, 1/8-inch black merrowed border.

The patch shall be worn on each sleeve of the shirt and jacket. It shall be centered 1/2-inch below the bottom edge of the shoulder patch.

The patch shall be sewn to the garment around the outer edge with a good quality black silk or rayon thread. No cross-stitching shall be permitted.

CLASSIFICATION PATCH '" RECORDS SPECIALIST

Brand: Hero's Pride Emblems-Badges or approved vendor

Color: Royal blue, gold

Material: Solid embroidered cloth with thermoplastic backing. Threads to be of a high tenacity fast-dye rayon of a denier suitable to the detail.

Style and Construction: The patch shall be semi-circular in shape, I-inch wide and a straight line drawn between the two opposing bottom end points shall measure 4 11/16 inches. The inside edge curvature of the patch shall conform to the outside edge curvature of the shoulder patch. The background shall be royal blue with the wording "RECORDS SPECIALIST" embroidered in gold, capital block style lettering 3/8-inch high, 1/8-inch black merrowed border.

The patch shall be worn on each sleeve of the shirt and jacket. It shall be centered 1/2-inch below the bottom edge of the shoulder patch.

The patch shall be sewn to the garment around the outer edge with a good quality black silk or rayon thread. No cross-stitching shall be permitted.

CLASSIFICATION PATCH '" SUPERVISOR (SCC and CUSTODY RECORDS)

Brand: Hero's Pride Emblems-Badges or approved vendor

Color: Royal blue, gold

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Material: Solid embroidered cloth with thermoplastic backing. Threads to be of a high tenacity fast-dye rayon of a denier suitable to the detail.

Style and Construction: The patch shall be rectangular in shape, 1-3/16 inches wide by 2-5/16 inches long. The background shall be royal blue with the wording "SUPERVISOR" embroidered in medium gold, capital block style lettering 1/2-inch high, 1/8-inch black merrowed border.

The patch shall be worn on each sleeve of the shirt and jacket. It shall be centered 1/2-inch below the bottom edge of the classification rocker.

The patch shall be sewn to the garment around the outer edge with a good quality black silk or rayon thread. No cross-stitching shall be permitted.

DRESS SKIRT

Brand: Custom made through authorized vendor

Color: O.D. Green

Material: 65% Dacron polyester/35% wool or 100% polyester

Style and Construction: Straight or A-line, plain front, back or side zip, no pockets, with belt loops.

DRESS UNIFORM SOFT CAP

Brand: "Lancaster" or any brand meeting specifications.

Model: #210

Color: Forest Green

Material: Wool elastique

Style and Construction: The cover is to be a 4-piece crown to measure 10 3/4" in diameter, with front and sides measuring 2 1/4", and back seam measuring 2". The front, when cap is done, shall measure 4" from top of visor to the piping. Measurements given are for size 7 1/8. Circumference may vary 1/8 inch larger or smaller in proportion to head size. Chin strap to be 1/2" metal, flexible and expanding type gold plated attached with two Sheriff buttons. It shall have 2 eyelets in front of cap 1 5/8" apart horizontal from center to center, 1 1/2" from top of band, placed as to receive proper cap piece. The tan mesh braid shall be attached to the cover quarters and shall have a strip of forestry Green elastique, same as cover, sewn to the bottom so that when mounted on frame, 1/4" shall show on bottom.

DRESS UNIFORM CAP PIECE (Issued)

Brand: Entenmann-Rovin

Model: 366-R

Color: Gold Tone

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Material: Metal Alloy

Style and Construction: Gold tone with dark blue lettering, 13/16 inch diameter circular panel on the face with blue and green background, title panel with the words, "Deputy Sheriff".

DRESS UNIFORM JACKET

Brand: Flying Cross or any brand meeting specifications.

Color: Forest Green

Material: Wool/Dacron Polyester

Style and Construction: Eisenhower semi-dress jacket with coat sleeves. Front to be fastened with a "Talon" #5 zipper, brass finish, from the bottom of the jacket, vertically to the base of the lapels. To have a two-piece top of the belt at the back of the jacket. To have adjustment straps with one departmental button on each side at the side seams. To have a half belt stitched down in back at the approximate waistline. Jacket to be fitted so as to be worn loosely and straight down over the modified Sam Browne belt and accouterments. Length to vary in accordance with the individual, but in all cases to fall to the top of the hip pockets. Bottom to be made with a 4" bottom turn up with lining sewn to top of turn up, and not to include a separate waistband. To have departmental stripe sewn on both sleeves 4" from the seam-to-seam and set into the seam at both sides, machine sewn.

DRESS UNIFORM TIE

Brand: Any meeting specifications.

Color: Black

Material: Barathea, nylon, Dacron or wool fabric.

Style and Construction: Four-In-Hand or Windsor type, pre-tied knot, break away style, standard dress tie, no wider than 2-3/4 inches.

DRESS UNIFORM TIE (Optional for Female)

Brand: Any meeting specifications.

Color: Black

Material: Barathea, nylon, Dacron or wool fabric.

Style and Construction: Crossover style with a maximum of 1" width at any given point, breakaway.

DRESS UNIFORM TIE BAR

Brand: Any meeting specifications.

Color: Gold Tone, glossy

Material: Metal Alloy

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Style and Construction: Flat metal, 1/4 to 5/16 inches wide with a length compatible with the width of the tie. The tie bar shall have a clasp fastener capable of securing the tie to the shirt.

The top edge of the tie bar shall form a horizontal line of continuum between the top edges of the shirt breast pockets.

FIELD UNIFORM JACKET (Combination)

Brand: Elbeco
Model: SH3209 (Shield Duty Jacket)
Color: Forest Green

Material: 100% Polyester mini ripstop with windproof, waterproof, breathable hydrotech membrane on nylon taffeta substrate.

Style and Construction: The jacket shall be full cut, waist length with covered storm front two way nylon zipper front closure, zip-in/ zip-out liner (SH3209), shirred waistband and zippered side vents. Body and sleeves are fully lined with hydrotech membrane on nylon taffeta substrate. Sleeves have articulated elbows, underarm venting, and adjustable storm cuffs with hook and loop closures. The front shall be plain with 10 functional pockets with patch pockets and badge and nameplate tabs. The jacket shall be designed with quick release side zippered vents with stability tabs and adjustable snaps for easy access to weapon and equipment. The jacket shall have low profile utility shoulder straps and a three piece waterproof storable hood.

Brand: Elbeco
Model: SH3509 (Shield Performance Soft Shell Jacket)
Color: Forest Green

Material: 2-way stretch woven 96% polyester / 4% spandex exterior with fleece interior and windproof, waterproof, breathable hydrotech membrane.

Style and Construction: The jacket shall be full cut, waist length with zipper front closure, shirred waistband and zippered side vents. Body and collar are lined with no pill fleece. Sleeves have articulated elbows, underarm venting, and adjustable storm cuffs with hook and loop closures. The front shall be plain with 6 functional and badge and nameplate tabs. The jacket shall be designed with quick release side zippered vents with stability tabs and adjustable snaps for easy access to weapon and equipment. The jacket shall have low profile utility shoulder straps and can be used as a zip in liner for the Shield Duty Jacket.

FIELD UNIFORM JACKET (Lightweight)

Brand: Flying Cross

Model: 59135

Color: OD Green

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Material: Outer shell: 2 ply Taslanized Nylon 70 Denier (Warp), Plain weave. Material to be treated with durable fluorocarbon water and stain release agents. Zip-out liner: 86 pick black nylon taffeta, insulated with 3M Thinsulate.

Style and Construction: The jacket shall be full cut, waist length with zipper front closure, zip-in/zip-out liner, shirred waistband and zippered side vents. Body and sleeves are fully lined with a permanent 86 pick Nylon, color to match. The front shall be plain with patch pockets, scalloped flaps and badge tab. Jacket will be designed with a facing to accommodate the zip-out liner. There is to be a separate 2 inch shirred waistband with 2 inch heavy-duty elastic. The entire waistband is to be shirred with the exception of an area approximately 6 - 10 inches on either side of the front opening. The jacket shall be designed with the side zippered vents for easy access to weapon and equipment. The vents must have an elasticized snap tab closure system at the bottom.

FIELD UNIFORM JACKET (Nightwear)

Brand: Blauer

Model: 9626

Color: Forest Green

Material: Taslan nylon outer shell with Gortex fabric with removable Thermolite Plus inner lining.

Style and Construction: The jacket shall be full cut, waist length with zipper front closure, zip-in/zip-out liner, shirred waistband and zippered side vents. Body and sleeves are fully lined with a permanent 86 pick Nylon, color to match. The front shall be plain with patch pockets, scalloped flaps and badge tab. Jacket will be designed with a facing to accommodate the zip-out liner. There is to be a separate 2 inch shirred waistband with 2 inch heavy-duty elastic. The entire waistband is to be shirred with the exception of an area approximately 6 - 10 inches on either side of the front opening. The jacket shall be designed with the side zippered vents for easy access to weapon and equipment. The vents must have an elasticized snap tab closure system at the bottom.

UNIFORM SWEATER (TECHNICAL COMMUNICATION SPECIALISTS / RECORD SPECIALISTS ONLY)

Brand: Broadway Sweaters or similar company

Model: V-neck, button front, long sleeve

Color: Forest Green

Material: 100% acrylic

FIELD/DRESS UNIFORM SHIRT (Long Sleeve)

Brand: "Elbeco", Flying Cross or any brand meeting specifications.

Color: Silvertan, tan

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Material: Dacron polyester, rayon

Style and Construction: Shall meet CHP specifications.

FIELD UNIFORM SHIRT (Short Sleeve)

Brand: "Elbeco", Flying Cross or any brand meeting specifications.

Color: Silvertan, tan

Material: Dacron polyester, rayon

Style and Construction: Shall meet CHP specifications.

WASH AND WEAR FIELD UNIFORM SHIRT (Long and Short Sleeve)

Brand: "Elbeco DutyMaxx", West Coast Style Short Sleeve Model: Men's 5592/ Women's 9792LC Long Sleeve Model: Men's 592/ Women's 9592LC

Color: Silvertan

Material: Polyester, rayon

Style and Construction: Same style and construction as the Field Uniform Shirt, however the shirt shall have sewn in pleats, front and rear

FIELD/DRESS UNIFORM TROUSERS

Brand: "Horace Small", Flying Cross or any brand meeting specifications.

Color: Forest Green

Material: Dacron polyester, Wool

Style and Construction: The trousers shall be made on a uniform pattern with plain front, straight side pockets, and two back pockets. "Flashlight pockets" optional.

FIELD UNIFORM TROUSERS (Lightweight)

Brand: "Horace Small" or any brand meeting specifications.

Color: Forest Green

Material: 100% texturized dacron polyester

Style and Construction: The trousers shall be made of a uniform pattern with plain front, straight side pockets, and two back pockets.

WASH AND WEAR FIELD UNIFORM TROUSERS

Brand: Spiewak or Blauer

Color: Forest Green

Material: Poly/Wool Blend

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Style and Construction: The trousers shall be made of a uniform pattern with plain front, straight side pockets, two internal cargo pockets, and two back pockets. “Flashlight pockets” optional.

FIELD UNIFORM TROUSER/SKIRT BELT (Issued)

Brand: Bianchi or similar company

Model: B8 or similar specifications

Color: Black

Material: Leather

Style and Construction: Basketweave finish1 3/4 inches (1 1/4 or 1 1/2 optional size for females) wide, rectangular chromium buckle or "Velcro" fastener.

FIELD UNIFORM RAINGEAR (Issued)

Brand: Blauer or other authorized vendor

Model: See below

Color: Yellow

Material: Plastic vinyl coated rayon

Style and Construction: Seams sewn and welded, non-conducting PVC buttons.

1. Jacket - Mfg. #26950, storm fly front, corduroy collar, yellow reflective tape welded onto sleeve, front and back, badge holder welded on left breast.

2. Trousers - Mfg. #26951, full cut overalls, elastic suspenders.

3. Boots - Black rubber with steel toe, 16 inches high.

HELMET (Issued)

Brand: Griffin Corporation, Bell, Super Seer or similar company with department approval

Model: L901, GD 700 Pro Police, 5-1618 or similar specifications with prior department approval

Color: Gold/Forest Green

Material: Polycarbonate

Style and Construction: High trim, gold strap, neckguard, with detachable face shield, issued decal affixed to the front.

The decal shall be gold in color with the State seal and the words "DEPUTY SHERIFF" printed on the face. The decal shall be centered on the front of the helmet with the bottom of the decal 1/2-inch above the decorative chin strap.

NAME PLATE (Issued)

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Brand: Reeves

Model: 0500

Color: Gold tone

Material: Metal alloy

Style and Construction: High gloss, blue lettering, 2 1/4 inches by 1/2-inch, two clutch fasteners. The lettering shall be printed in capital block style. Only the first initial and last name shall be used. The top edge of the name- plate shall adjoin and be parallel with the lower stitching on the top edge of the right breast pocket flap. The plate shall be horizontally centered over the pocket button.

NAME TAPE (Issued)

Brand: Any brand meeting specifications

Color: Dark Green background, gold lettering

Material: Rayon/dacron with embroidered lettering certified washable.

Style and Construction: The name tape shall be 1 inch wide and length shall adjoin the inner stitching on both sides of the right breast pocket flap. The lettering shall be printed in capital block style, 3/4-inch high. Only the first initial and last name shall be used.

The top edge of the name tape shall adjoin and be parallel with the lower stitching on the top edge of the pocket flap.

The tape shall be sewn to the garment around the outer edge with a good quality dark green silk or rayon thread. No cross-stitching shall be permitted.

PLAINCLOTHES BADGE (Issued)

Brand: Entenmann-Rovin Company

Model: 690 (six-point flat)

Color: Gold tone

Material: Metal alloy

Style and Construction: Same specifications as Field Uniform badge. The badge shall be issued in a black basket weave leather display wallet.

PLAINCLOTHES TROUSER BELT (Issued)

Brand: Bianchi or similar company

Model: B5 or similar specifications

Color: Black or brown

Material: Leather

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Style and Construction: Basketweave or plain finish, 1 1/2 or 1 3/4 inches wide, square or rectangular chromium buckle.

POLO SHIRT '" PROFESSIONAL STAFF

Brand: Flying Cross, Port Authority or any brand meeting specifications.

Color: Black

Material: 7 oz 100% Cotton pique or 5 oz 65/35 Poly/Cotton pique

Style and Construction: Black three button collared polo shirt with matching collar and cuffs. Sheriff's 1 3/4-inch Sheriff's star with either a 1 1/2-inch overlay of the County of Ventura emblem or City Seal, whichever applicable, embroidered on left breast area, VENTURA COUNTY SHERIFF embroidered in 1/4-inch gold capitalized block lettering in a half circle 3/4-inches over the star and the name of the assignment embroidered in 3/8-inch gold capitalized block lettering horizontally centered 1/4-inch under the star and emblem, first initial and last name embroidered in 1/2-inch gold capitalized block lettering on right breast area centered across from the star and emblem.

RANK INSIGNIA '" SERGEANT

Brand: National Emblems

Color: Royal blue, gold, black

Material: Embroidered cloth with thermoplastic backing, rayon thread not to exceed 150/2 denier, background material to be vat dyed 7-7 ounce 65/35 polyester/cotton, permanent press, cured and pre-shrunk, emblem to contain approximately 3,900 stitches.

Style and Construction: Three bar type chevron, 3 7/8 inches high and 3 1/8 inches wide, stripes to be royal blue bordered with gold, mounted on a black background with a 1/8-inch edge border.

The insignia shall be worn on each sleeve of the shirt and jacket. The patch shall be centered on the sleeve 1/2-inch below the bottom edge of the shoulder patch with the arch of the bars pointing upward. A line drawn vertically through the top and bottom rays of the shoulder patch star shall extend through the horizontal mid-point of each bar.

The patch shall be sewn to the garment around the outer edge with a good quality black silk or rayon thread. No cross-stitching shall be permitted.

Female officers may wear an optional mid-size chevron, which measures 3-3/8 inches high and 2-7/8 inches wide.

RANK INSIGNIA '" SENIOR DEPUTY

The insignia shall meet the specifications prescribed for Sergeant insignia with the following exceptions: 1 (the insignia shall be a two-bar chevron) 2 the insignia shall be 3-1/8 inches high and 3-1/8 inches wide.

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Female deputies may wear an optional mid-size chevron, which measures 2-7/8 inches high and 2-7/8 inches wide.

RANK INSIGNIA '" CAPTAIN

Shirt Collar - The insignia shall be two gold tone flat or beveled edge metal bars 3/4-inch wide and 3/4-inch long, attached at each end by a holding bar.

The insignia shall have two clutch fasteners.

The double bars shall be worn in the center on each side of the Field and Dress Uniform shirt collars. The length edge of the insignia shall be 1/2-inch from, and parallel with, the front edge of the collar.

Jacket Shoulder - The insignia shall be two gold color solid embroidered cloth bars 3/8-inch wide by 1-1/8 inches long. The bars shall have thermoplastic backing with thread of a high tenacity fast-dye and of a denier suitable to the detail. The wearing of the double gold tone flat or beveled metal bars 1-1/8 inches wide by 1-1/8 inches long is optional.

The two bars shall be worn centered in the cross-stitching of each shoulder epaulet with the length of the bars parallel to the epaulet's end seam. The bars shall be sewn to the garment around the outer edge with a good quality yellow silk or rayon thread. No cross-stitching shall be permitted.

For jackets without epaulets, the insignia shall be centered over the shoulder seam and shall be parallel to and 1/2-inch from the sleeve head seam.

RANK INSIGNIA - COMMANDER

Shirt Collar - The insignia shall be one gold tone metal star, five-pointed, pyramidically shaped, the size to be inscribed in a circle 9/16-inch in diameter. The star shall be fastened with one ray of the star pointing upward. The insignia shall have a catch.

One one-star insignia shall be worn in the center on each side of the Field Uniform shirt collars. The top point of the star shall point upward and a line drawn horizontally through the center of the two sequential side points shall be perpendicular to the front edge of the collar. The bottom two points shall be 3/4-inch from the edge of the collar.

Jacket Shoulder - The insignia shall be one gold tone metal star, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 1/16 inch in diameter. The star shall be fastened together with one ray of the star pointing upward. The insignia shall have a catch.

One one-star insignia shall be worn in the center of each shoulder epaulet evenly spaced between the buttonhole and the shoulder seam. The top point of the star shall point upward and a line drawn horizontally through the center of the two sequential side points shall be parallel to the front edge of the epaulet.

RANK INSIGNIA -Assistant Sheriff

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Shirt Collar '" The insignia shall be two gold tone metal stars, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 9/16-inch in diameter. The stars shall be fastened together on a straight metal holding bar 1/16-inch in width with one ray of each star pointing upward and at right angles to the bar. The rays of each star shall be on the same line of continuum. The insignia shall a have catch.

One two-star insignia shall be worn in the center on each side of the Field Uniform shirt collars. The top points of the stars shall point upward and a line drawn horizontally through the center of the four sequential side points shall be perpendicular to the front edge of the collar. The bottom four points shall be 3/4-inch from the edge of the collar.

Jacket Shoulder '" The insignia shall be two gold tone metal stars, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 1/16 inch in diameter. The stars shall be fastened together on a straight metal holding bar 1/8-inch in width with one ray of each star pointing upward and at right angles to the bar. The rays of each star shall be on the same line of continuum. The insignia shall have a catch.

One two-star insignia shall be worn in the center of each shoulder epaulet evenly spaced between the buttonhole and the shoulder seam. The top points of the stars shall point upward and a line drawn horizontally through the center of the fours sequential side points shall be parallel to the front edge of the epaulet.

RANK INSIGNIA - Undersheriff

Shirt Collar '" The insignia shall be three gold tone metal stars, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 9/16-inch in diameter. The stars shall be fastened together on a straight metal holding bar 1/16-inch in width with one ray of each star pointing upward and at right angles to the bar. The rays of each star shall be on the same line of continuum. The insignia shall a have catch.

One three-star insignia shall be worn in the center on each side of the Field Uniform shirt collars. The top points of the stars shall point upward and a line drawn horizontally through the center of the four sequential side points shall be perpendicular to the front edge of the collar. The bottom six points shall be 3/4-inch from the edge of the collar.

Jacket Shoulder - The insignia shall be three gold tone metal stars, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 1/16 inch in diameter. The stars shall be fastened together on a straight metal holding bar 1/8-inch in width with one ray of each star pointing upward and at right angles to the bar. The rays of each star shall be on the same line of continuum. The insignia shall have a catch.

One three-star insignia shall be worn in the center of each shoulder epaulet evenly spaced between the buttonhole and the shoulder seam. The top points of the stars shall point upward and a line drawn horizontally through the center of the fours sequential side points shall be parallel to the front edge of the epaulet.

RANK INSIGNIA - SHERIFF

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Shirt Collar '" The insignia shall be four gold tone metal stars, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 9/16-inch in diameter. The stars shall be fastened together on a straight metal holding bar 1/16-inch in width with one ray of each star pointing upward and at right angles to the bar. The rays of each star shall be on the same line of continuum. The insignia shall have a catch. One four-star insignia shall be worn in the center on each side of the Field Uniform shirt collars. The top points of the stars shall point upward and a line drawn horizontally through the center of the four sequential side points shall be perpendicular to the front edge of the collar. The bottom eight points shall be 1/2-inch from the edge of the collar.

Jacket Shoulder '" The insignia shall be four gold tone metal stars, five-pointed, pyramidically shaped, each of a size to be inscribed in a circle 1/16 inch in diameter. The stars shall be fastened together on a straight metal holding bar 1/8-inch in width with one ray of each star pointing upward and at right angles to the bar. The rays of each star shall be on the same line of continuum. The insignia shall have a catch. One four-star insignia shall be worn in the center of each shoulder epaulet evenly spaced between the buttonhole and the shoulder seam. The top points of the stars shall point upward and a line drawn horizontally through the center of the fours sequential side points shall be parallel to the front edge of the epaulet.

SERVICE STAR(S) - SWORN and PROFESSIONAL STAFF

One service star may be worn for each five (5) years of service with this department or in combination with another department. The star(s) may be worn on the long sleeve shirt and all jackets. The star(s) shall be embroidered on the apparel fabric without the use of patch material.

Shirt Sleeve - The star shall be embroidered with gold polyester thread and be centered on the front of the left sleeve. The star shall be five-pointed, pyramidically shaped and of a size to be inscribed in a circle 3/4-inch in diameter. One point of the star shall point downward and shall be 3/4-inch above the top seam of the cuff. The line drawn horizontally through the center of the two opposing side points shall be parallel to the cuff seam.

Two or more stars shall be centered on the sleeve one-inch apart measured from center to center. The opposing side points of all stars shall be on the same line of the continuum. After four stars (20 years) a second tier of stars shall be started 1/8 inch above the first row, with the fifth star being placed between the first and second star on the outside part of the sleeve.

Jacket Sleeve '" The above specifications shall apply with the following exceptions: one point of the star(s) shall be placed 3/4-inch above the decorative stripe on the dress jacket, 2 inches above the sleeve end of the nightwear jacket and 3/4 inch above the top cuff seam on the lightweight jacket.

(NOTE: It is recommended the same vendor be used each time a new star is added to avoid mismatching the thread color, otherwise, it may be necessary to have the old stars removed and all new stars embroidered.)

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SHOULDER LOOP '" ACADEMY STAFF (ISSUED)

Brand: Van Guard Uniforms

Color: White, gold

Material: White dacron/cotton with gold border and thermoplastic backing.

Style and Construction: The shoulder loop shall be of rectangular shape 4 1/2-inches long and 1 1/2-inches wide, secured by a "stocko" snap.

The Academy Staff designator shoulder loop shall be worn surrounding the left and right shoulder epaulet of the field uniform shirt.

SHOULDER LOOP '" JTO (SST's only) AND FTO DESIGNATOR (ISSUED)

Brand: On-Duty Uniform or authorized vendor

Color: Royal blue, gold

Material: Royal blue dacron/cotton with merrow gold border and thermoplastic backing.

Style and Construction: The shoulder loop shall be of rectangular shape 4 1/2-inches long and 1 1/2-inches wide, secured by a "stocko" snap.

The FTO designator shoulder loop shall be worn surrounding the right shoulder epaulet of the field uniform.

SHOULDER PATCH

Brand: National Emblems

Color: Royal blue, dark gold, black

Material: Solid embroidered cloth with thermoplastic backing, rayon thread 150/1 and 180/2 denier, Schiffli machined, 8,750 stitches.

Style and Construction: The patch shall be round with a 4-inch diameter. Two inner concentric circles separated by a gold-color thread border 1/16-inch wide shall form the background. The inner circle shall have a black background with a gold color six-pointed star embroidered in the center. Each point of the star shall be approximately 1/32-inch from the inner circle border. The work "SHERIFF" shall be embroidered in royal blue thread across and within the face of the star in 5/16-inch lettering. The outer circle shall have the words "VENTURA COUNTY" embroidered in gold thread on a royal blue background. The edge of the patch shall be a merrowed black border.

The patch shall be worn on each sleeve of the shirt and jacket. It shall be centered on the sleeve with the top edge of the patch 1/2-inch below the sleeve-head seam. A vertical extension of the shoulder seam line or a vertical line drawn through the center of the epaulet shall intersect the top and bottom rays of the center star.

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The patch shall be sewn to the garment around the outer edge with a good quality black silk or rayon thread. No cross-stitching shall be permitted.

SHOULDER PATCH '" EMBROIDERED

Color: Black, gold

Material: Solid embroidered cloth with thermoplastic backing, rayon thread 150/1 and 180/2 denier, Schiffli machined, 8,750 stitches.

Style and Construction: The patch shall be round with a 4 inch diameter. One inner concentric circle in black thread. The inner circle shall have a black color six-pointed star embroidered in the center. Each point of the star shall be approximately 1/32-inch from the inner circle border. The word "SHERIFF" shall be embroidered in gold thread across and within the face of the star in 5/16-inch lettering. The outer circle shall have the words "VENTURA COUNTY" embroidered in black thread. The edge of the patch shall be a merrowed black border.

The patch shall be worn on each sleeve of the specialized unit/assignment shirt. It shall be centered on the sleeve with the top edge of the patch 1 1/2-inches below the sleeve-head seam. A vertical extension of the shoulder seam line or a vertical line drawn through the center of the shoulder shall intersect the top and bottom rays of the center star.

SPECIALIZED UNIT INSIGNIAS/PINS

Any specialized unit/collateral assignment detail desiring an insignia or pin depicting that unit/detail must receive prior authorization from the Support Services Assistant Sheriff before wearing the insignia or pin on the uniform. Personnel may only wear one insignia/pin at a time on their uniform. Personnel working one of these units/assignments for five or more years may continue to wear the insignia/pin after they leave the unit/assignment. When possible, future pins should be designed to be worn on the outside of the right shirt pocket flap. Refer to the Specialized Unit Insignias/Pins/Medals for list of previously authorized insignias/pins/medals and where they are to be worn on the uniform shirt.

TRAINING OFFICER (CTO) PIN '" COMMUNICATIONS (ISSUED)

Brand: Com Center Sportswear

Color: Gold

Material: Metal alloy

Style and Construction: Two tone gold with letters "CTO" in center, 3/8-inch high and 7/8-inch long, secured by one clutch fastener.

The CTO pin shall be worn on the left side of the right breast pocket flap. The pin shall be horizontally centered between the pocket button and the left edge of the flap. Vertically, it shall be centered between the top-stitching and the bottom edge of the flap.

TURTLENECK/MOCK TURTLENECK (Optional with long sleeved dress shirt)

Brand: Any brand meeting specifications

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Color: Black

Material: Cotton, polyester

Style and Construction: Collar should have enough elasticity to maintain its shape. A mock turtleneck collar must be at least 1 1/2 inches in height and fit closely to the neck. (A mock turtleneck is a turtleneck in which the collar does not fold over). No ornamentation on the collar is permitted. Black T-shirts are not approved.

UNIFORM TROUSERS '" SPECIALIZED UNIT (BDU's)

Brand: Elbeco or any brand and model meeting specifications

Model: Elbeco Tek2, Style E619RN

Color: OD Green

Material: 65% Fortrel Polyester/35% vat-dyed Combed Cotton two-ply twill weave.

Style and Construction: Trouser shall be manufactured from a men's uniform trouser pattern, incorporating a plain front with two quarter top front pockets, two back pockets and two double entry cargo pockets positioned on each leg outseam. Trouser to be straight leg style.

Creasing: The front and back crease in both trouser legs must be applied via a pneumatically controlled application of silicone sealant, so as to give permanency to the creases for the life of the garment.

This is the only trouser approved to be worn with the polo shirt for sworn personnel.

UNIFORM TROUSERS '" BIKE PATROL ONLY

Brand: Mocean

Model: 2020

Color: Sheriff Green

Material: Nylon

Style and Construction: Elasticized waist with zipper fly, drawcord tie, beltloops, and seven pockets: 2 on seam pockets, 2 expanding cargo pockets with storm flaps and Velcro'd ® closures and 1-exterior pocket for pens or a "Mag Light"®. There are also 2-back pockets with zipper closures and welt flaps.

UNIFORM SHORTS '" BIKE PATROL ONLY

Brand: Mocean

Model: 1050M

Color: Sheriff Green

Material: Supplex

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Style and Construction: Elasticized waist with drawcord adjuster and beltloops. There are two slash hand pockets and two front cargo pockets

UTILITY UNIFORM COLD WEATHER BEANIE CAP

Brand: "Under Armor" purchased through On-Duty or F. Morton Pitt.

Model: Tac Stealth

Color: Black with Black Logo

Material Shell: 100% Acrylic; Lining: 84% Polyester/16% Elastane

Style and Construction: Beanie style cap with "SHERIFF" embroidered in 1" tall olive green letters and bordered by a 4 5/8" wide by 1 1/2" tall olive green box.

UTILITY UNIFORM CAP

Brand: "Flex-Fit" or "5.11" Style purchased through On-Duty Uniforms or F. Morton Pitt.

Model: Not applicable

Color: OD Green

Material: Acrylic, and/or PolyCotton blend

Style and Construction: Baseball cap style the words, "Ventura County" and "Sheriff" shall be embroidered in Gold letters on the front panel. The words "Ventura County" shall be in 1/2" lettering embroidered above the word "Sheriff", which shall be in 1" lettering.

UTILITY UNIFORM JEANS (MOUNTED UNIT ONLY)

Brand: Any meeting specifications.

Model: Permanent Press

Color: Dark Green

Material: Synthetic/Cotton

Style and Construction: Regular cut western style work jeans, two diagonal cut side pockets, two hip pockets, hemmed cuff-less bottoms, zipper fly front, permanent press creases, a difference of not more than 2 inches between the knee width and the bottom leg opening width.

UTILITY UNIFORM SHIRT (PATROL, DETENTION SERVICES, SHERIFF'S RECORDS, CENTRAL INMATE RECORDS)

Brand: Elbeco or any brand meeting specifications.

Color: Tan

Material: Dacron polyester, cotton

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Style and Construction: There shall be two pockets with mitered corners, badge tab and no epaulets. The left breast pocket to have a pencil opening about 1 1/4". The shirt shall have sewn in pleats, front and rear.

UTILITY UNIFORM TROUSERS (PATROL AND DETENTION SERVICES)

Brand: Elbeco or any brand meeting specifications

Model: Elbeco Tek2 Style E619RN

Color: OD Green

Material: 65% Fortrel Polyester/35% vat-dyed Combed Cotton two-ply twill weave

Style and Construction: Trouser shall be manufactured from a men's uniform trouser pattern, incorporating a plain front with two quarter top front pockets, two back pockets and two double entry cargo pockets positioned on each leg outseam. Trouser to be straight leg style.

Creasing: The front and back crease in both trouser legs must be applied via a pneumatically controlled application of silicone sealant, so as to give permanency to the creases for the life of the garment.

This is the only trouser approved to be worn with the polo shirt for sworn personnel.

UTILITY UNIFORM TROUSERS (SHERIFF'S RECORDS AND CENTRAL INMATE RECORDS)

Brand: Flying Cross or any brand and model meeting specifications

Model: Flying Cross, Item 47425

Color: OD Green

Material: 65% Fortrel Polyester / 35% Cotton

Style and Construction: Trouser shall be manufactured from an up-to-date men's uniform trouser pattern, incorporating a plain front with two quarter top front pockets, and two hip pockets professionally finished with no visible topstitching. Trouser to be straight leg style.

Creasing: The front and back creases in both trouser legs must be applied via a pneumatically controlled application of silicone sealant, specifically formulated to technologically enhanced fabrics, so as to give permanency to the creases for the life of the garment.

1016.11 ADDENDUM B (EQUIPMENT SPECIFICATIONS)

EQUIPMENT SPECIFICATIONS

ADDENDUM "B"

BATON (Issued)

Brand: ASP

Model: ASP 4

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Color: Black/Nickel

Material: Aluminum

Style and Construction: 26" expandable baton with Electroless finish.

BATON HOLDER FOR ASP 4(Issued)

Brand: Bianchi Accu Mold Elite Model: 7913

Color: Black

Material: Tri-Laminate with Coptex Knit

Style and Construction: Basketweave finish

BATON (Optional)

Brand: Monadnock Poly-Light (PLP)

Model: 2007 PLP-26

Color: Black

Material: Polycarbonate

Style and Construction: 26" straight baton with the Monadnock PLP Baton Ring.

BATON RING STRAP FOR OPTIONAL BATON

Brand: Monadnock

Model: PLP-HC/BW/CH Catalog #2007

Color: Black

Material: Leather

Style and Construction: Basketweave finish, single chromium snap, chromium retaining ring.

BODY ARMOR (Issued)

Brand: American Body Armor by Safariland or as authorized by the department.

Model: Xtreme Vest II

Color: White

Style and Construction: Double strap bottom vest style, IACP **standard of Level II threat.**

CARTRIDGE CASE (Issued)

Brand: Bianchi Accu Mold Elite

Model: 7902

Color: Black

Material: Tri-Laminate with Coptex Knit

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Style and Construction: Basketweave finish, chromium cover snaps.

CHEMICAL AGENT '" OLEORESIN-CAPSICUM (OC) (Issued)

Brand: ZARC International, Inc.

Model: CAP-STUN Z-305

Color: Black container

Material: 5.5% Oleoresin-Capsicum

Style and Construction: 1 oz. metal cylinder container

CHEMICAL AGENT HOLDER (Issued)

Brand: Bianchi Accu Mold Elite

Color: 7907

Material: Tri-Laminate with Coptex Knit

Style and Construction: Basketweave finish round plastic insert, chromium cover snap.

FIELD KNIFE

Brand: Any brand which meets the listed specifications.

Style and Construction: The knife shall be of a folding blade type, which can only be opened by applying direct pressure on the blade(s). Knives with blades which can be released automatically by pushing a button, pressure on the handle, flip of the wrist or other mechanical device are prohibited. The blade(s) shall have only one sharp edge. The physical dimensions of the knife shall provide for total concealment in the field uniform knife case. Clip knives shall provide for total concealment within the trouser pocket and be secured to the pocket by the attached clip (the clip may remain visible on the outside of the pocket).

FIELD KNIFE CASE

Brand: Safariland or any brand which meets the listed specifications.

Model: (.45 calibre clip case)

Color: Black

Material: Leather

Style and Construction: Basketweave leather of a quality equal to the leather equipment issued by the department, flap cover with a single chromium snap, exterior dimensions of the case shall not exceed 2" (W) x 5 - 1/2 (L) x 7/8" (D).

FIREARM (Issued)

Brand: Sig Sauer

Model: 9mm semiautomatic

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Color: Black finish

Style and Construction: Night sights installed, 9mm ammunition (department issued), manufacturer's specifications to remain unaltered.

FLASHLIGHT

Brand: Mag light or any brand meeting specifications

Model: Any model

Color: Black

Material: Plastic or Metal

Style and Construction: Battery (rechargeable) operated, manufacturer's specifications to remain unaltered.

FLASHLIGHT HOLDER

Brand: Safariland or any brand meeting specifications

Color: Black

Material: Leather

Style and Construction: Basketweave finish

GUN BELT (Issued)

Brand: Bianchi

Model: B2C "Sam Browne"

Color: Black

Material: Leather

Style and Construction: Basketweave finish, 2" wide, rectangular hook type chromium buckle.

- OR -

Brand: Bianchi

Model: B2C - "Salley Browne"

Color: Black

Material: Leather

Style and Construction: Basketweave finish, 1 3/4" wide, rectangular hook type chromium buckle.

HANDCUFFS (Issued)

Brand: Peerless

Model: RE-116

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Color: Nickel finish

Style and Construction: Double lock, positive hold in 19 positions, 10 oz. Weight.

HANDCUFF CASE (Issued)

Brand: Bianchi Accu Mold Elite

Model: 7900

Color: Black

Material: Tri-Laminate with Coptex Knit

Style and Construction: Basketweave finish, single chromium cover snap.

HOLSTER (Issued)

Brand: Safariland

Model: Specific to weapon

Color: Black

Material: Leather

Style and Construction: Basketweave finish, thumb break safety strap, forward draw.

PLAINCLOTHES HOLSTER (Issued)

Brand: Any brand meeting specifications

Model: Specific to weapon

Color: Black or Russet

Material: Leather

Style and Construction: Basketweave or plain finish, metal reinforced thumb break, spring clamp safety release, front or cross draw, high ride forward tilt style.

KEEPER STRAPS (Issued)

Brand: Bianchi Accu Mold Elite

Model: 7906

Color: Black

Material: Tri-Laminate with Coptex Knit

Style and Construction: Basketweave finish, double chromium snap.

KEY STRAPS (Issued)

Brand: Bianchi Accu Mold Elite

Model: 7916 Color: Black

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Material: Tri-Laminate with Coptex Knit

Style and Construction: Basketweave finish, single chromium snap, heavy duty chromium key retainer.

SPECIALTY UNIT TACTICAL VESTS (Issued)

Brand: First Spear or as authorized by the department

Model: Siege-R Optimized Platform

Color: OD Green

Style and Construction: Rapid-release Tubes technology, internal front and rear pockets for hard armor/plates**, NIJ Level IIIA ballistic armor inserts**

PORTABLE RADIO HOLDER (Issued by patrol station)

Brand: Any brand meeting specifications

Model: Specific to radio

Color: Black

Material: Leather

Style and Construction: Basketweave finish designed for issued portables.

WHISTLE (Issued)

Brand: HWC or any brand meeting specifications

Model: PWBS-1

Color: Black

Material: Plastic

Style and Construction: Retaining ring attached.

1016.12 PROFESSIONAL STAFF ATTIRE

There are assignments within the Sheriff's Office that do not require the wearing of a uniform. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) All male administrative, investigative and support personnel who are approved to wear civilian clothing to work shall wear button style shirts (dress shirts) with a collar, slacks or suits that are moderate in style.

(c) All female administrative, investigative, and support personnel who are approved to wear civilian clothing to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style. Hosiery, if worn, shall be of a solid color and any design shall be moderate in style.

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(d) The following items shall not be worn on duty:

1. T-shirt alone
2. Polo shirt (with the exception of those approved by the Sheriff's Office for specific assignments)
3. Sweatshirts
4. Halter tops, tube tops and tank tops
5. Denim pants
6. Culottes, split skirts and skorts
7. Dresses or skirts that are excessively short (the length should be long enough to appropriately cover the wearer's body when bending, stretching, kneeling and sitting)
8. Sweatpants or workout attire (to include stretch-type pants such as spandex, leggings and bike or running pants)
9. Shorts, beach attire
10. Sheer or otherwise revealing clothing
11. Clothing with inappropriate or offensive logos or advertising (to include distasteful printed buttons, slogans or pins)
12. Patched or torn clothing
13. Open toed sandals
14. Athletic shoes and hiking boots
15. Caps, hats or beanies

(e) Variations from this order are allowed at the discretion of the division commander when the employee's assignment or current task is not conducive to the wearing of such clothing.

(f) No item of attire may be worn that would adversely affect the reputation of the Ventura County Sheriff's Office or the morale of the employees.

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Department Badges

1017.1 PURPOSE AND SCOPE

The Ventura County Sheriff's Office badge and uniform patch as well as the likeness of these items and the name of the Ventura County Sheriff's Office are property of the department and their use shall be restricted as set forth in this policy.

1017.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1017.2.1 FLAT BADGE

Sworn deputies shall be issued a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) Should the flat badge become lost, damaged, or otherwise removed from the deputy's control, he/she shall make the proper notifications as outlined in the Department Owned and Person Property policy, Issued Equipment - Lost or Stolen Reporting Procedures section (Chapter 7).

(b) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1017.2.2 CIVILIAN PERSONNEL

Badges and departmental identification cards issued to professional staff shall be clearly marked to reflect the position of the assigned employee (e.g. Sheriff's Service Technician (SST), Dispatcher, Records Specialist, Cadet).

(a) Professional staff shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Professional staff shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1017.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

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Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Sheriff.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1017.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Sheriff and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Ventura County Sheriff's Office.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Sheriff.

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Speech, Expression, and Social Networking

1018.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Ventura County Sheriff's Office.

This policy applies to all forms of communication including but not limited to digital media, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1018.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Ventura County Sheriff's Office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

1018.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of Ventura County Sheriff's Office members, such as posting personal information in a public forum or posting a photograph taken with a Global Positioning System (GPS)-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family, or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working undercover.

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- Disclosing the address of a fellow department member.
- Otherwise disclosing where another deputy can be located off-duty.

1018.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the safety, performance, and public-trust needs of the Ventura County Sheriff's Office, the following are prohibited unless the speech is otherwise protected (e.g., a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the Department or its members.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Department or its members. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
2. Expression that demonstrates support for criminal activity.
3. Participation in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing members by informing criminals of details that could facilitate an escape or attempted escape).

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.

(f) Use or disclosure, through whatever means, of any information, photograph, digital media, or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee.

(g) Posting, transmitting, or disseminating any photographs, digital media, or audio recordings, likenesses, or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Ventura County Sheriff's Office on any personal or social networking or other website or web page, without the express authorization of the Sheriff.

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Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1018.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Ventura County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Sheriff (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose any product, service, company, or other commercial entity.

(d) Appear in any commercial, social, or nonprofit publication; or any motion picture, film, video, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that a member, acting in their individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Ventura County Sheriff's Office.

Members retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

1018.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site, including social media, that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department should not require a member to disclose a personal user name or password for accessing personal social media or to open a personal social website.

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Nepotism and Conflicting Relationships

1019.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1019.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1019.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940(a)):

(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

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1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

(f) The Department's preference is that employees who are a relative or in a personal relationship as defined by this section do not work on the same shift and at the same station as a regular assignment to avoid actual or potential conflicts. The Department does recognize that staffing requirements may override this preference from time to time on a temporary basis.

1019.2.1 EMPLOYEE RESPONSIBILITY

All Department supervisors who become involved in a romantic or sexual relationship with a subordinate are encouraged to report such relationships to their immediate supervisor.

The intent of this requirement is not to interfere or discourage the right of individuals to freely enter into relationships, but to make necessary modifications in scheduling work assignments, or other work conditions if necessary to avoid conflicts between individuals in the work assignment. The

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commanding officer shall ensure that all direct supervision in such relationships is avoided and that any necessary changes are made.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

1019.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Sheriff of such actual or potential violations through the chain of command.

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Attachments

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Hate Crime Checklist.pdf

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HATE CRIME CHECKLIST

Page ____ of ____

VICTIM

Victim Type:

☐ **Individual**
Legal name (Last, First): _____
Other Names used (AKA): _____

☐ **School, business or organization**
Name: _____
Type: _____
(e.g., non-profit, private, public school)
Address: _____

☐ **Faith-based organization**
Name: _____
Faith: _____
Address: _____

Target of Crime (Check all that apply):

☐ Person ☐ Private property ☐ Public property

☐ Other _____

Nature of Crime (Check all that apply):

☐ Bodily injury ☐ Threat of violence

☐ Property damage

☐ Other crime: _____

Property damage - estimated value _____

BIAS

Type of Bias
(Check all characteristics that apply):

☐ Disability
☐ Gender
☐ Gender identity/expression
☐ Sexual orientation
☐ Race
☐ Ethnicity
☐ Nationality
☐ Religion
☐ Significant day of offense
(e.g., 9/11, holy days)
☐ Other: _____

Specify disability (be specific):

_____

_____

Actual or Perceived Bias – Victim's Statement:

☐ Actual bias [Victim actually has the indicated characteristic(s)].

☐ Perceived bias [Suspect believed victim had the indicated characteristic(s)].

If perceived, explain the circumstances in narrative portion of Report.

Reason for Bias:

Do you feel you were targeted based on one of these characteristics?
☐ Yes ☐ No *Explain in narrative portion of Report.*

Do you know what motivated the suspect to commit this crime?
☐ Yes ☐ No *Explain in narrative portion of Report.*

Do you feel you were targeted because you associated yourself with an individual or a group?
☐ Yes ☐ No *Explain in narrative portion of Report.*

Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)?
☐ Yes ☐ No *Describe in narrative portion of Report.*

Are there Indicators the suspect is affiliated with a criminal street gang?
☐ Yes ☐ No *Describe in narrative portion of Report.*

Bias Indicators (Check all that apply):

☐ Hate speech ☐ Acts/gestures ☐ Property damage ☐ Symbol used
☐ Written/electronic communication ☐ Graffiti/spray paint ☐ Other: _____

Describe with exact detail in narrative portion of Report.

HISTORY

Relationship Between Suspect & Victim:

Suspect known to victim? ☐ Yes ☐ No
Nature of relationship: _____
Length of relationship: _____
If Yes, describe in narrative portion of Report

☐ Prior reported incidents with suspect? Total # _____
☐ Prior unreported incidents with suspect? Total # _____
Restraining orders? ☐ Yes ☐ No
If Yes, describe in narrative portion of Report
Type of order: _____ Order/Case# _____

WEAPONS

Weapon(s) used during incident? ☐ Yes ☐ No Type: _____
Weapon(s) booked as evidence? ☐ Yes ☐ No
Automated Firearms System (AFS) Inquiry attached to Report? ☐ Yes ☐ No

HATE CRIME CHECKLIST

Page ____ of ____

EVIDENCE

Witnesses present during incident? ☐ Yes ☐ No Statements taken? ☐ Yes ☐ No

Evidence collected? ☐ Yes ☐ No

Photos taken? ☐ Yes ☐ No

Total # of photos: _____ D#: _____

Taken by: _____ Serial #: _____

Recordings: ☐ Video ☐ Audio ☐ Booked

Suspect identified: ☐ Field ID ☐ By photo ☐ Known to victim

OBSERVATIONS

VICTIM	SUSPECT
☐ Tattoos	☐ Tattoos
☐ Shaking	☐ Shaking
☐ Unresponsive	☐ Unresponsive
☐ Crying	☐ Crying
☐ Scared	☐ Scared
☐ Angry	☐ Angry
☐ Fearful	☐ Fearful
☐ Calm	☐ Calm
☐ Agitated	☐ Agitated
☐ Nervous	☐ Nervous
☐ Threatening	☐ Threatening
☐ Apologetic	☐ Apologetic
☐ Other observations: _____	☐ Other observations: _____

ADDITIONAL QUESTIONS (Explain all boxes marked "Yes" in narrative portion of report):

Has suspect ever threatened you?	☐ Yes	☐ No
Has suspect ever harmed you?	☐ Yes	☐ No
Does suspect possess or have access to a firearm?	☐ Yes	☐ No
Are you afraid for your safety?	☐ Yes	☐ No
Do you have any other information that may be helpful?	☐ Yes	☐ No

Resources offered at scene: ☐ Yes ☐ No Type: _____

MEDICAL

Victim	Suspect	
☐	☐	Declined medical treatment
☐	☐	Will seek own medical treatment
☐	☐	Received medical treatment

Authorization to Release Medical Information, Form 05.03.00, signed? ☐ Yes ☐ No

Paramedics at scene? ☐ Yes ☐ No Unit # _____

Name(s)/ID #: _____

Hospital: _____

Jail Dispensary: _____

Physician/Doctor: _____

Patient #: _____

Officer (Name/Rank)	Date
Officer (Name/Rank)	Date
Supervisor Approving (Name/Rank)	Date

POST 05/19

Dispersal Order.pdf

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10. DISPERSAL ORDER

I AM (name and rank) OF THE VENTURA COUNTY SHERIFF'S OFFICE. PURSUANT TO SECTION 726 OF THE CALIFORNIA PENAL CODE, I HEREBY DECLARE THIS TO BE AN UNLAWFUL ASSEMBLY IN VIOLATION OF PENAL CODE SECTION 407. IN THE NAME OF THE PEOPLE OF THE STATE OF CALIFORNIA, I COMMAND ALL PERSONS ASSEMBLED AT location TO DISPERSE. YOU HAVE number MINUTES TO DISPERSE AND LEAVE THE AREA. IF YOU FAIL TO DISPERSE, AND YOU REMAIN IN THE AREA, YOU WILL BE SUBJECT TO ARREST FOR VIOLATIONS OF PENAL CODE SECTION 407: UNLAWFUL ASSEMBLY, AND PENAL CODE SECTION 409: REFUSAL TO DISPERSE.

(Routes for dispersing should be explained here)

Ensure that each and every admonishment is tape recorded at the point from which it is made as well as from a location at the rear of the crowd.

Note: Upon giving the initial dispersal order state a reasonable amount of time for the crowd to disperse, considering the size of the crowd and avenues available for dispersal, etc.

Thereafter, repeat the order periodically adjusting the time limit for dispersal, (IE: ten minutes ... seven minutes ... five minutes ... three minutes ... one minute ...)

It is important to broadcast in multi-language if needed.

Large signs can be displayed to be certain the crowd is able to read the order if ambient noise prevents the effective broadcast of the order.

Dispersal Order.pdf

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VCLECC Cross-Jurisdictional Pursuits 05-2024.pdf

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District Attorney

SHERIFF JIM FRYHOFF
Ventura County Sheriff's Office

CHIEF DARIN SCHINDLER
Ventura Police Department

CHIEF JASON BENITES
Oxnard Police Department

VENTURA COUNTY LAW ENFORCEMENT COORDINATING COMMITTEE

CHIEF MICHAEL T. FEDERICO
Port Hueneme Police Department

CHIEF STEVE SHORTS
Simi Valley Police Department

CHIEF DON AGUILAR
Santa Paula Police Department

CAPTAIN JAROD PRIMICERIO
California Highway Patrol

CHIEF STEVE SHORTS
Simi Valley Police Department
Chair

Operational & Procedural Agreement

Subject: Guidelines for Control of Cross-Jurisdictional Pursuits in Ventura County

1. **Purpose:** To establish uniform guidelines in coordinating police pursuits that cross jurisdictional boundaries within Ventura County.

2. **Adoption:** The guidelines contained herein are officially adopted by the Ventura County Law Enforcement Coordinating Committee, which includes the Sheriff, the District Attorney, all County Police Chiefs, and the California Highway Patrol's Ventura County offices. These guidelines supersede all prior communications, agreements, and promises, either oral or written, on this subject matter.

3. **Application:** Nothing contained herein is intended to increase, modify, or in any way affect current legal vehicle pursuit standards. Deviation from these guidelines shall not be considered a breach of any legal standard.

4. **Definitions:** The following terminology shall be used to standardize terms relevant to vehicle pursuits:
    a. *Take over the pursuit:* Assume operational control of the pursuit. The assisting agency shall dispatch unit(s) to take over for the requesting agency. Once in place, the requesting agency will disengage from the pursuit.
    b. *Request to assist:* A request for a secondary unit. Additional units may be requested given the circumstances of the pursuit.
    c. *Disengage from the pursuit:* Terminate code 3 driving and discontinue trailing the pursuit.
    d. *Assist with the arrest:* This will be a request for unit(s) to assist at the termination of the pursuit to safely affect the arrest of the suspect(s).

e. *No assistance needed:* This is a notification only that a pursuit is in an allied agency's jurisdiction and no additional assistance is needed nor required by the pursuing agency.
f. *Termination point:* The point where the pursuit comes to a conclusion.

5. **Agency Notification:**
   a. When a vehicle pursuit leaves or is about to leave the pursuing agency's jurisdiction, it is important to provide as much advanced notification as possible to neighboring agencies.
   b. It shall be the responsibility of the pursuing agency's dispatch center to notify the neighboring agency as soon as practical. This notification shall attempt to provide information set forth in Section 7, below.
   c. Should the pursuit continue through another outside agency and towards another, the agency that has jurisdiction in which the pursuit is occurring shall make effort to advise the subsequent jurisdiction of the pursuit that is headed in their direction.

6. **Jurisdiction Requests:** The pursuing unit(s) may request, through their watch commander or field supervisor, assistance from units of other jurisdictions if the pursuit enters another jurisdiction and any of the following conditions exist:
   a. The pursuing agency's unit(s) become disabled and the pursuit would otherwise continue;
   b. The pursuing agency is unfamiliar with the area of the pursuit to the degree that there is increased risk to continue the pursuit or the suspect is likely to escape;
   c. The pursuit is likely to terminate in the allied agency's jurisdiction and insufficient units from the primary agency are available to safely arrest the suspect(s).

7. **Information Exchange:** The requesting agency shall advise the assisting agency of all relevant information including:
   a. The type of assistance requested, using the terminology defined in Section 4, above;
   b. Vehicle/suspect description;
   c. The specific reason(s) for the pursuit/want;
   d. To the best possible extent, specific information regarding officer safety/identity of suspect(s)/weapon(s);
   e. The behavior of the suspect(s) during the pursuit including any information known or suspected that would affect the need to continue/disengage from the pursuit;
   f. (As available) Whether the requesting agency wishes to retain arrest authority over the suspect and the violations likely to be charged (should the assisting agency successfully stop the fleeing suspects[s]) or relinquishes all interest in the suspect.

8. **Level of Assistance:** The unit requesting assistance shall specify the level of assistance required as follows:
   a. Request for another agency to *take over the pursuit*.
      i. An agency may request, through their agency's communications center, with approval of the watch commander or field supervisor, that another agency assume

operational control of the pursuit. If the assisting agency agrees to assume control of the pursuit, the assisting agency shall dispatch resources to take over for the requesting agency.

ii. Upon the arrival of the first unit from the assisting agency, the requesting agency's primary unit shall become the secondary unit. Upon arrival of additional units from the assisting agency, the remaining requesting agency unit(s) shall disengage from the pursuit.

iii. The agency assuming operational control of the pursuit shall exercise its own discretion regarding the need to continue or disengage from the pursuit. Should the requesting agency retain arrest authority, that agency shall send resources to the termination point and assume the responsibilities for the investigation of crimes committed while the original agency was in control of the pursuit.

iv. In the event of disputes regarding responsibilities, a supervisor shall be dispatched, if available, or the respective watch commanders will coordinate enforcement actions.

b. Request for another agency to *assist with the pursuit.*

i. An agency may request another agency to provide units to assist with a pursuit. The request shall be clearly relayed to that agency.

ii. Mere notification of an ongoing pursuit shall not be construed as a request for assistance.

iii. Units assigned to assist another agency shall, upon taking position and notifying their own dispatch of their status, switch to the radio frequency of the controlling agency and assume the duties of a secondary unit.

iv. The watch commander or field supervisor of the assisting agency retains the discretion to withdraw any or all of its units at any time.

c. Request for another agency to *assist with the arrest.*

i. An agency may request assistance from another agency if it appears necessary to safely affect the arrest of the suspect(s) at the end of the pursuit. The requesting agency shall specify whether the units are needed to participate in the pursuit or respond to its termination point. They should also specify if a specific type of resource is requested (i.e. helicopter, K9, SWAT, etc.). The watch commander or field supervisor of each agency involved shall decide if more than two units are needed to participate in the actual pursuit.

d. Notification only: *"No assistance needed."*

i. If a pursuing agency enters another jurisdiction, the pursuing agency will notify the other jurisdiction. The pursuing agency will advise that it has units in pursuit through the city/jurisdiction and specify that no assistance is needed.

9. **<u>Single-Unit Pursuits in Outside Jurisdictions:</u>** There are often delays with information and/or requests for assistance when pursuits enter another jurisdiction. Therefore, Deputies/Officers may request supervisor approval to join single-unit pursuits due to community safety concerns.

a. The assisting agency is responsible for broadcasting the progress and condition of the pursuit on their primary frequency.
b. The assisting agency must discontinue the pursuit when sufficient units from the initiating agency join the pursuit or until additional support is provided, allowing them to withdraw from the pursuit.
c. Assisting units should be limited to two vehicles, not including a supervisor and/or K-9 unit.

10. **California Highway Patrol Pursuit Guidelines:** The California Highway Patrol follows specific policies regarding their personnel joining or taking over pursuits. The three paragraphs below contain specific policies that apply to California Highway Patrol personnel:
    a. California Highway Patrol participation in an allied agency's pursuit is appropriate only in response to a specific request for participation. Mere notification of the existence of a pursuit shall not be construed as a request for participation. Upon such notification, the communications center shall clarify whether CHP is being requested to assist in the pursuit.
    b. In addition to a formal request through the telecommunications system by an allied agency, officers may be summoned by hand/arm gestures and/or verbal requests. An officer responding to these types of requests shall immediately make the required notifications to the communications center and to their supervisor.
    c. Prior to acceptance of a pursuit from an allied agency, the field supervisor shall determine the degree of CHP involvement, if any, and provide appropriate direction. When appropriate, the supervisor or primary unit shall attempt to cancel allied agency units if control of the pursuit is assumed by the CHP.

11. **End of Pursuit Procedure:**
    a. Responsibilities of the agency ending the pursuit ("the stopping agency"):
        i. Notify all involved agencies that the pursuit has ended and provide its termination point.
        ii. Designate a supervisor to coordinate resources.
    b. Responsibilities of other involved agencies:
        i. The agency that initiated the pursuit shall ensure that the officer with probable cause (or that officer's supervisor) contacts a supervisor from the stopping agency at the end of the pursuit to provide information/assistance.
        ii. All agencies with information, witnesses, or criminal charges related to the pursuit shall contact the stopping agency.
        iii. All agencies involved in the pursuit shall provide reports as requested by the stopping agency (or booking agency, if different).
        iv. Each involved agency will be responsible for completing its own separate CHP 187 report.

c. Prisoner processing:
    i. In the absence of any other agreement (e.g., Officer Involved Shooting Protocol), the suspect(s) from the pursuit shall be turned over to the custody of the agency which has the most significant charges.
    ii. Absent more significant charges by another agency, custody and booking of the suspect(s) shall default to the responsibility of the agency initiating the pursuit.
    iii. The agency assuming custody shall be responsible for processing, booking, and coordinating related reports.
d. Traffic collision investigations: The investigation of traffic collisions resulting from the vehicle pursuit should be the responsibility of the agency within the jurisdiction where the collision occurred.

12. **Communication:** In the event that the pursuing jurisdiction requests an agency to assume responsibility for the pursuit, communication procedures for that agency shall apply.
    a. The agency in operational control of the pursuit shall be responsible for relaying the progress and conditions of the pursuit. When disengaging from a pursuit, the agency with operational control shall make radio notification to all involved agencies and ensure that the agencies acknowledge the notification. In the event an agency needs assistance in another jurisdiction, until additional resources arrive, the assisting agency can also broadcast the pursuit to keep their agency informed of its progress and the conditions of the pursuit. Prior to transferring a pursuit to another agency's radio frequency, the communication center representative should make contact with the jurisdictional communications center in order to ensure adequate staffing and functionality of radio communication.
    b. All multi-jurisdictional pursuits should use "clear text" terminology in order to ensure effective communication.

13. **Agency's Policy:** In the event that the pursuing jurisdiction requests an agency to assume responsibility for the pursuit or requests assistance, the agency assuming responsibility or providing assistance shall adhere to its own adopted vehicle pursuit policy.
    a. Each involved agency will be individually responsible for conducting its own internal inquiry to evaluate its officer(s) conduct with respect to departmental policy.

14. **Media Releases and Information Requests:** Unless otherwise agreed, press releases should be handled by one agency as agreed upon by the involved agencies.

15. **Training:** Each agency agrees to ensure that the appropriate employees from their own agency are trained in these operational and procedural guidelines.

Reviewed and adopted by the following Ventura County Law Enforcement Coordinating Committee members on this 15th day of May, 2024.

SHERIFF JIM FRYHOFF
Ventura County Sheriff's Office

CHIEF DARIN SCHINDLER
Ventura Police Department

CHIEF STEVE SHORTS
Simi Valley Police Department

CHIEF MICHAEL T. FEDERICO
Port Hueneme Police Department

CHIEF DON AGUILAR
Santa Paula Police Department

CHIEF JASON BENITES
Oxnard Police Department

ERIK NASARENKO
District Attorney

CAPTAIN JAROD PRIMICERIO
California Highway Patrol

CHIEF KELLI FLORMAN
VCCCD Police Department

INTERIM CHIEF DRAKE MASSEY
CSUCI Police Department

Statutes and Legal Requirements.pdf

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Statutes and Legal Requirements

Items listed in this section include sections from the California Penal Code (CPC), Welfare and Institutions Code (WI) and Government Code (GC).

Definitions

CPC 422.55 - Provides general definition of hate crimes in California.

CPC 422.56- Provides definitions of terms included in hate crimes statutes.

GC 12926- Disability-related definitions applicable to some hate crime statutes.

Felonies

Hate Crimes

CPC 422.7 - Commission of a crime for the purpose of interfering with another's exercise of civil rights.

Related Crimes

CPC 190.2(a)(16) - Homicide penalties related to certain hate crime related acts.

CPC 190.03(a) - Homicide penalties related to certain hate crime related acts.

CPC 288(b)(2) - Sexual assault of dependent person by caretaker

CPC 368(b) - Dependent adult abuse generally - may apply as disability-related hate crime.

CPC 594.3 - Vandalism of places of worship.

CPC 11412 - Causing or attempting to cause other to refrain from exercising religion by threat.

CPC 11413 - Arson or destructive device at place of worship.

Misdemeanors

Hate Crimes

CPC 422.6 - Use of force, threats, or destruction of property to interfere with another's exercise of civil rights.

CPC 422.77 - Violation of civil order (Bane Act) protecting the exercise of civil rights

Related Crimes

CPC 302 - Disorderly conduct during an assemblage of people gathered for religious worship at a tax-exempt place of worship.

CPC 538(c) - Unauthorized insertion of advertisements in newspapers and redistribution to the public.

CPC 640.2 - Placing handbill, notice of advertisement on a consumer product or product packaged without authorization.

CPC 11411 - Terrorism of owner or occupant of real property. Placement or display of sign, symbol, or other physical impression without authorization, engagement in pattern of conduct, or burning or desecration of religious symbols.

Enhancements

CPC 190.2(a)(16) - Special circumstances imposing the Death Penalty or Life Without Possibility of Parole, if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 190.3 - Special circumstances imposing LWOP if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 422.75 - Penalty for felony committed because of victim's race, color, religion, nationality, country or origin, ancestry, disability, or sexual orientation shall be enhanced one, two, or three years in prison, if the person acts alone; and two, three, or four years if the person commits the act with another.

CPC 1170.8 - Enhancement for robbery or assault at a place of worship.

CPC 1170.85(b) - Felony assault or battery enhancement due to age or disability.

Reporting

CPC 13023- Requirement for law enforcement agencies to report hate crime data to DOJ.

WI 15630 – Elder and Dependent Adult Abuse Mandated Reporting (may apply in disability-related hate crimes).

Training and Policy Requirements

CPC 422.87 - Hate crimes policy adoption and update requirements (AB 1985, Effective January 1, 2019).

CPC 13519.6 - Defines hate crime training requirements for peace officers.

CPC 13519.41 - Training requirements on sexual orientation and gender identity-related hate crimes for peace officers and dispatchers (AB 2504, Effective January 1, 2019).

Miscellaneous Provisions

CPC 422.78 - Responsibility for prosecution of stay away order violations.

CPC 422.86 - Public policy regarding hate crimes.

CPC 422.89 - Legislative intent regarding violations of civil rights and hate crimes

CPC 422.92 - Hate crimes victims brochure requirement for law enforcement agencies.

CPC 422.93 - Protection of victims and witnesses from being reported to immigration authorities.

GC 6254 - Victim confidentiality.

Supplemental Hate Crime Report-Agency.pdf

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SUPPLEMENTAL HATE CRIME REPORT

☐ **Hate incident (No Crime Committed)** ☐ **Hate Crime (422.6 PC, 51.7 CC, 52.1 CC)**

VICTIM

VICTIM TYPE

☐ **Individual**

Legal name (Last, First):

_____

Date of Birth	Age	Sex	Race

☐ **School, business or organization**

Name: _____

Type: _____

(e.g., non-profit, private, public school)

☐ **Faith-based organization**

Name: _____

Faith: _____

☐ **Other**

Name: _____

Type: _____

Address: _____

Date and time of incident:

_____

Location of incident:

_____

Date and time of report:

_____

Location of report:

_____

Agency Case #:

_____

NATURE OF CALL FOR SERVICE (check all that apply)

☐ Crime against persons

☐ Crime against property

☐ Gang activity

☐ Other _____

BIAS

TYPE OF BIAS

(Check all characteristics that apply)

☐ Disability
☐ Gender
☐ Gender identity/expression
☐ Sexual orientation
☐ Race
☐ Ethnicity
☐ Nationality
☐ Religion
☐ Significant day of offense
(e.g., 9/11, holy days)
☐ Association with a person or group with one or more of these characteristics (actual or perceived)
☐ Other:
_____

ACTUAL OR PERCEIVED BIAS – VICTIM'S STATEMENT

☐ Actual bias [Victim has the indicated characteristic(s)].
☐ Perceived bias [Suspect believed victim had the indicated characteristic(s)].

REASON FOR BIAS:

Do you feel you were targeted based on one of these characteristics?
☐ Yes ☐ No

Do you know what motivated the suspect to commit this crime?
☐ Yes ☐ No

Do you feel you were targeted because you associated yourself with an individual or a group?
☐ Yes ☐ No

Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)?
☐ Yes ☐ No

Are there Indicators the suspect is affiliated with a criminal street gang?
☐ Yes ☐ No

BIAS INDICATORS (CHECK ALL THAT APPLY):

☐ Hate speech ☐ Acts/gestures ☐ Property damage ☐ Symbol used
☐ Written/electronic communication ☐ Graffiti/spray paint ☐ Other: _____

SUPPLEMENTAL HATE CRIME REPORT

HISTORY

SUSPECT INFORMATION

Legal name (Last, First):

_____

Other Names used (AKA):

_____

Date of Birth	Age	Sex	Race

Relationship to Victim:

_____

RELATIONSHIP BETWEEN SUSPECT & VICTIM

Suspect known to victim: ☐ Yes ☐ No

Nature of relationship:

_____

Length of relationship: _____

☐ Prior reported incidents with suspect: *Total #* _____

Prior unreported incidents with suspect:

☐ Yes ☐ No ☐ Unknown

WEAPONS/FORCE

Weapon(s) used during incident? ☐ Yes ☐ No Type: _____

Force used during incident? ☐ Yes ☐ No Type: _____

EVIDENCE

Witnesses present during incident? ☐ Yes ☐ No Statements taken? ☐ Yes ☐ No

Evidence collected? ☐ Yes ☐ No

Photos taken? ☐ Yes ☐ No

Recordings: ☐ Video ☐ Audio ☐ Booked

Suspect identified: ☐ Field ID ☐ By photo/video ☐ Known

RESOURCES

Resources offered at scene: ☐ Yes ☐ No

☐ Marsy's Law Handout ☐ Hate Crimes Brochure ☐ Other: _____

MEDICAL

Victim	Suspect	
☐	☐	Declined medical treatment
☐	☐	Will seek own medical treatment
☐	☐	Received medical treatment
☐	☐	Injuries observed

Completed by	***Date***

Name/Title/ID number

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